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THE MELROS PAPERS.



X

# STATE PAPERS,

AND

## MISCELLANEOUS CORRESPONDENCE

OF

THOMAS, EARL OF MELROS.

VOLUME SECOND.

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## CCXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieftie's lettre, towcheing the fuite maid to youre maieftie, on the behalff of the Lord Gordoun, for a tak of the rentis and cafualtyis of Orkney and Yetland, to be fett to him after the expiring of the Lord Vchiltre his tak; and by this letter, it was youre maieftie's pleafoure, that we fould not onlie heir the faid Lord Gordoun and his offers, and all otheris (yf ony be) who ar defyrus to medle in that mater, bot that we fould acquēt youre maieftie with thair feuerall offers, and with our opiniois anent the expedience of the fetting of the faidis rentis and cafualtyis in few. According to the direētioun of the faid lettre, we haif hard the Lord Gordoun, and hes conferrit with him at lenthē vpoun that fubieēt, who fayis, that in the offer maid vnto youre maieftie on his behalff, ther wes no other conditioun, bot that fame yeirly dewtie payit be the Lord Vchiltre for his tak, extending to fourtie thowfand merkis, quhairunto he will yitt ſtand, and he offeris fufficient caution for affurance of the payment, of the quhilkis cautionaris he gaif in a roll of a number of refponfall and anfurable baronis and gentlemen. We haif hard no other fuitaris as yitt, be refſoun of the ſchortnes of the tyme, bot yf ony fall preſent thame ſellis, thay fall reſſaue fauourable heareing, and youre maieftie ſalbe acquēt with thair offers. And towcheing the other pointe of youre maieftie's lettre, anent the expedience of the fetting of the faidis rentis and cafualtyis in few, that is a pointe of weyght and importance, craueing bothe tyme and laifer, and mature aduiſe and deliberatioun, for mony thingis will occur and be incident in that proieēt, quhilkis vpoun a fuddane can nouthir be foirſene nor degeifted. Alwayes we haif gevin ordour for lookeing oute of the rentallis of Orkney, and Yetland, and, after examinatioun of the particularis thair of, and dew conſideratioun of youre maieftie's intereſ, bothe anent the few and the tak,

we fall acquent youre maieſtie quhat, in oure opinionis, we holde fitteſt to be done bothe for youre maieſteis proffeit and weele of the ſubieſtis. We haif beene ſpairing to be too haſtie or to precipitat this buffynes, becaus thair is tua yeiris of the ſaid Lord Vchiltrie his tak as yitt to rinne, bot we fall vſe fuch conuenient diligence thairin, as fall gif vnto youre maieſtie fatiffaſtioun. And ſo, with oure humble and eirniſt prayeris vnto God for youre maieſteis lang and happie reigne, we reſt

Youre Maieſteis moſt humble and obedient  
ſubieſtis and ſeruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
A. MAR.

W. OLIPHANT.  
G. MURRAY.  
GEORGE HAY.

Haliruidhous, 20 July 1620.

To the King his moſt ſacred and excellent  
Maieſtie.

CCXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE caus quhairfor we haif ſo lang deferred the returning of oure opinioun vnto your maieſtie towcheing the ſignatour of the burgh of Edinburgh, anent the new worke intendit and begyn thair, for making of cloathis and fluffis of diuers kindis within the ſaid burgh and liberties thairof, proceidit frome the cair we had, according to youre maieſteis moſt iuditious and princelie direſtioun, not onlie to foirſee that no preiudice might thairby enſew to otheris, youre maieſteis ſubieſtis, interpriſing



the lyke workis outwith the liberteis of the said burgh heirefter, bot with that to strenthen and assit the said burgh, with such laughfull warrandis and auctoritie, as might encourage them to sett fordwart the said worke; for quhilk purpois, we first appointit some of our awne number, and some baronis, gentilmen, and burgesis of Lotheane and Fyffe, to convene and meet with the commissiounaris of the said burgh, and to confidder and examine the said signatoure, and the whole headis, clauffis, and articlis of the same, and to confer and resoun thairvpoun, and in such pointis as thay could espy ony preiudice, outhir to youre maiestie or the estate, to acquent ws thairwith, and with thair opinionis auent the reformeing of the same. At whilk meeting, the said signatour being verie narroulie and exactlie examined, and some questionis and doubtis being proponned and moued thairanent, and presented to the consideratioun of the counsaill table, and the commissiounaris of the said burgh, being, at verie grite lenthe, and at diuers and findrie dyetis, hard thairvpoun; in end, after diuers conferenceis and meitingis with thame, we haif cleirlye discussit all the obiectionis and doubtis proponned againis the said signatour, and, with mature aduise and deliberatioun, we haif causit draw vp ane new signatour, heirwith fend vnto youre maiestie, markit on the bak be the clark of youre maiesteis Counsaill, quhairin we haif maid such provisionis, limitationis, and restrictionis, for the weele of youre maiesteis subiectis, as, in our opinioun, no claus nor article thairof can with resoun be impugned. This is a verie worthie and notable worke, and in appeirance the best for the commounweele that for mony yeiris ago hes bene intendit within this kingdome. It hes cost the said burgh a grite deale of money, with such a willing consent and contributioun of the honest inhabitants, as the lyke hes not bene hard of within the said burgh. Thair is a number of handfome and commodious houffis alreddy biggit for this worke, and some familieis of strangeairis els plantit and sett to worke thairin; and the worke is so substantiouse bakkit and haldin fordwart be the said burgh, that we ar in verie goode hoip that it fall not onlie prove honorable, bot profitabill for the whole cuntrey. And thairfoir, yf youre maiestie false pleisid to allow of this signatour, and returne the same to ws vnder youre maiesteis hand, we fall caus expedid and pas the same ac-

cordinglie. And fo, praying God to blisse youre maiestie with mony lang  
and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitoris,

AL. CANCELLS.  
MELROS.  
WINTOUN.  
LAUDERDAILL.

WIGTOUNE.  
W. OLIPHANT.  
G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most sacred and excellent  
Maiestie.

CCXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene a verie pitiefull and haviie complainte maid  
vnto ws, on the behalff of George Foullis, maister of your maiesties mynte,  
Johnne Sinclair, Johnne Trotter, and some otheris, mercheantis of Edin-  
burgh, awnaris of the ship callit the Peragon of Leythe, and in name of  
the reliēt and bairnis of vmquhile Robert Lewcope, skippair of the said  
ship, and Williame Huntair, his mate, beareing, that the said ship being  
fraughted be some marcheantis of Lundone to the Ilandis of Canaryis  
for wyne; and the ship, by the fauour of God, haueing faulflie arryved  
at hir porte, and tane in hir laiding of wyne, as sho wes returning bak  
thairfra, and vpon hir dew course towardis the citie of Lundone, in the  
moneth of Marche last, sho wes, by contrarious windis, drevin and putt  
in the harborie of Realing, in the west of Irland, quhair, being lyand at

ane anker, awaiting the commoditie of the wynd and wedder, Myles Burke, sone to Sir Tibold Burke, Dauid Burk M<sup>c</sup>Richard, and Owen Afflutt, verie familiarlie, vnder collour of friendship, frequentid the ship the space of eyght dayis, and ressauced fuche kynd and hairtlie interteynment as the maister of the ship could mak thame, and thay become fo familiair with maister and companie of the ship, and intertenyed fuche mutuall dewyteis of kyndnes with thame, that thay thoght thame selffis in a full securitie, without any apprehensioun of feare or dangeir, whilk being persaved be thir lymmaris, and thay haueing narroulie remarkit the ordour and gouernament of the ship, quhairwith sho wes laidnit, and how sho wes prouidit for defence, and finding all thingis anfuerable to thair wilheis for prosequitioun of thair treacherous and detestable resolutioun, thay, accompanied with Tibot Kellie, alias Duff, Richard Kilduff, Rorye Corme, Phillop and Myles Burke, come all furthe of the said Myles houe, and boordit the ship, whereas the maister and his man wer buffie at thair worke; and at thair first entrie in the ship, thay treacherousslie and barbarousslie killed the said Robert Leucope, and William Hunter, his mate, and deadlie woundit the carpentair of the ship, and posselt thame selffis with the ship, and hir whole laidning, and enforced the feruice of the rest of the company of the ship for gouerning of the ship, the space of eyght oulkis, till thay come to Broadhavin, quhair, by the fauour and prouidence of God, thay eschaiped. This being the trewthe of this mater, as we ar informed by the pairtyis greved, we ar moued, vpoun thair humble and eirnist requeist, to gif notice of the same vnto your maiestie, and, on thair behalf, most humelie to intreate your maiestie to recommend the same to the lord deputie of Irland, with a strait directioun and charge vnto him, to grant summair and fauourable proces and iustice vnto thame, and thair a<sup>c</sup>tonayis and procuratouris, in thair names, alfweele aganis the lymmaris thame selffis, as aganis all otheris who hes bene accessorie to thair doingis, in fuche forme and maner as your maiestie hes written in fauouris of the saidis maircheantis of Lundone, sua, that yf ony redres or reparatioun may possiblie be had, that your maiesteis distrest subiectis of this kingdome may be equalie

respectit and acknowledgeit thairin, and that no prioritie be vsed in the said redres, bot that a commoun and equall confideratioun be had thairin. And so, crauing your maiesteis pardoun for this our prefumptioun, and praying God to blisse youre maiestie with the continewance of mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient,

AL. CANCELL<sup>s</sup>.

MELROS.

WINTOUN.

LAUDERDAILL.

WIGTOUNE.

W. OLIPHANT.

G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most sacred and  
excellent Maieftie.

CCXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaued your maiesties lettre, with the articlis sett down and signed by youre maiestie, and aggregit vnto be the erll of Home and the Countesse his moder, on the one pairt, and Johnne Steuart, sone to the laite erll Bothuill, on the other pairt; and accordinglye we haif at diuers and fundrie dyetis, had the pairtyis and thair procuratouris befor ws, and at verie grite lenthe hes hard thame vpoun that subiect, and vpoun all and euerye thing that resulted or could be propouned thairanent, and after lang conference, reafoning, and dispute, how far we might go in

a mater of this kynd be forme and ordour of law, for the fuirtie of bothe pairtyis, it wes in end found, with the consent of bothe procuratoris, that the said Johne can not be capable in his persone, of ony dispositionis or rights proceeding frome the erll or his moder, bot that the same must be conceived in the fauouris of a thrid persone, fra whome thay must ressaue securitie for thair moneyis. Vpoun whiche pointe we haueing aggreit with the saidis pairtyis and thair procuraturis, as the best and nixt expedient for satling of this busynnes, we haif thairfor heirwith returnit vnto youre maiestie the saidis articlis, whilkis it will please youre maiestie to cancell and distroy, to the intent, that thairefter we may go on with the pairtyis, and proceed to the finall satling of this busynnes according to the termes now aggreit vpoun. The particularis quhair of being at lenche commyned vpoun, ar now fullie degeifed and satled. Thair is onlie one pointe contrauerted, whairanent the pairtyis hes referred thamefelfis to youre maiesteis determinatioun; towitt, quhairas the said erll and his prediceffouris hes bene heritable and kyndlie possessoris of the landis of Auld Cambmes and Fascastell, haldin of auld of the prioris of Coldinghame, and last of youre maiestie be the act of annexatioun, it is instantlie vrged on the behalf of the erll, that the landis may be referued and exceptit oute of his dispositioun, and that he may still hald the same of your maiestie, ather blenshe or few, for payment of that same dewitie whilk is contented in his faderis and outhouris infestmentis. Johne Steuart being loathe to quyte his superioritie, is some thing auerfe in this pointe; bot quhateuir your maiestie fallbe pleased to decerne thairintill, thay will bothe acquiesce and stand to it. Thair is one other pointe whair of the countesse takis halde, and sofer as we can persave, hardlie will sho be induceit to end this busynnes vnles sho gett some satisfactioun thairanent: To witt, sho challengeis a promeis maid be youre maiestie to hir and hir sone of ij<sup>m</sup> lib. sterling, whairin yf some course can be tane for hir satisfactioun, and youre maiestie haueing declairit youre will and pleafour anent the superioritie of the landis aboue written, all forder contestatioun anent this mater will in oure opinionis cease, and no thing will rest bot the subferyueing of the contract and otheris securityis *hinc inde*, quhilkis we salbe cairfull to see perfyted and outred. This being the effect of oure proceedingis in this busynnes, we humelie present the same to youre maiesteis

confideratioun; and, with oure moft eirnist prayers vnto God for youre  
maiefteis lang and happie reiginn, we reft

Your Maiefteis moft humble and obedient  
fubicētis and feruitouris,

AL. CANCELL<sup>s</sup>.

MELROS.

W. OLIPHANT.

Edinburgh, 23 Auguft 1620.

To the King his moft facred and excellent  
Maieftie.

CCXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refett of youre maiefteis lettre of the eyght of this in-  
ftant, willing ws to be particulair anent the fpeces of foreyne coyne thoght  
fitte to haif courfe heir, with the vtter value of eache peece, and at quhat  
price thay may pas without loffe to the inbringair, or hurte to the fubicētis,  
we conuenit befor ws, as we did the firft tyme quhen this mater wes pro-  
ponned vnto ws, the maifter and officiaris of youre maiefteis mynte, with  
fome of the maircheantis of Edinburgh beft acquentit with the Franſhe,  
Spanifhe, Flemis, and Eaſterlyne tradis, and at lenthe conferrit with thame  
vpoun that fubicēt; and haueing tane ane verye narrow and exact tryale  
of the eftate of the coyne in theſe pairtis, and quhat proportioun thay  
holde in weyght, price, and fynnes with youre maiefteis awne coyne, and at  
quhat raite and price thay may pas heir vnder youre maiefties coyne, we find  
that the Franſhe crowne and Spanifhe piſtollett, the rois noble, quart  
decue and ryallis, jumpis neireſt with youre maiefteis coyne, and that the  
toleratioun of thame to haif courfe will chieflie worke the effect for whiche

the toleratioun is craved. We haif in this other tickett sett doun the value, weyght, and price of thir peeceis, with fuche moderatioun and indifference, as the maircheant, by the importatioun, may expect gayne; and no feare is to be tane of the exportatioun of youre maieſteis coyne vpoun this occaſioun, becaus the difference betuix the priceis is fo ſmall, and thair is fo litle hoip of gayne to aryſe by the exportatioun, that the maircheant will not bafaird to offend in that kynd. The regrait of the ſubiectis for the ſcairtie of moneyis yitt continewis, and thay ar ſtill humble ſuitearis that this toleratioun may be grantit; wheranent attending youre maieſteis gratiouſ will and pleaſour, and humelie recommending youre maieſtie, and all youre princelie affairis, to the proteſtioun of the Almighty, we reſt for ever

Youre Maieſteis moſt humble and obedient  
ſubiectis and ſeruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
WINTOUN.  
G. MURRAY.

ROXBURGHE.  
W. OLIPHANT.  
A. HAY.

Edinburgh, 23 Auguſt 1620.

To the King his moſt ſacred and  
excellēt Maieſtie.

CCXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reſſauit youre maieſteis lettre, beareing youre maieſteis deſire of a voluntair contributioun to be grantit be youre maieſteis counſaill,

nobilitie, and memberis of feffioun, with the burgh of Edinburgh, for defending of the Pallatinat, being the dowrie of youre maiefteis darrest doghter, and defrayeing of the chargeis of the warre thair; in quihilk poynte, althoght we doubt not bot all honnest hairtit subiectis will kyithe thair goode affectionis, and contribute thair best meanis for the defence of that caus, yitt, in respect of the few number of youre maiefteis counfaill present this day, not exceiding fevin perfonis, we could resolue vpoun no other course, bot to appoint a meeting of the haill nobilitie and counfaill to be heir vpoun the xxij day of Nouember nixtocome, vnto whome we haif writtin and sent missiues for this effect; at quihilk tyme, we fall follicite this busynes, with fuche pregnant reslonis and argumentis, as may best procure youre maiefteis satisfactioun, and the honnour and credite of this cuntrey. And so, with oure humble and earnest prayeris vnto God for youre maiefteis lang and happie reigunn, we rest

Youre Maiesties most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>r</sup>.  
MELROS.  
W. OLIPHANT.

G. MURRAY.  
S<sup>r</sup> J. SKENE.

Edinburgh, 25 of October 1620.

To the King his most sacred and excellent  
Maiestie.

CCXXII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

As the counsell, by their first letter, sent efter their receipt of your maiesties, for contribution to the defence of the Palatinat promised, they



wrote for the whole nobilitie and counsellours to this day, who being all come to towne except some few who have sent excuses of sicknesse and other necessar impediments, with declaration that they shall performe for their partes what shall be concluded by the rest: The meeting for the businesse hes this day bene delayed, by occasion of opposition of some Earles, created by your maiestie, since the Earle of Niddisdails father was honored by your maiestie with that dignitie, acclameing place before this Earle, which being signified to the counsell, they, for preventing of furdur contention amongs the parties, called them, and having signified to such as opposed, that your maiesties letter to my Lord Chancellor, and the tenour of the Earle of Niddisdails patent, conteined the true and iust reasons of your maiesties direction, the parties alledged, that all that was done, they not being hard to propone their interest, being assured that your maiestie did not intend thereby to preiudge them of the places wherewith your maiestie had honored them or their predeceffours; alledgeing also, that after the Earle of Angus his restitution, the Earle of Niddisdails father had not possessed that dignitie, and that his elder brother had sittin and voted in parlement amongs the Lords. The Earle of Niddisdaille answered, that his father, in all his lyfe, had still menteaned the place and dignitie of ane earle, and that the neglect of his brother could not preiudge him, being aire to his father, and having his right strengthened by your maiesties iust declaration. They opposed to him the decreit of ranking the noblemen, which assigned place to the Earle of Niddisdails brother, as Lord Maxwell, amongs the Lords; but that decreit was gevin aganis him not compeirand. Alwayes the instance of the parties, and requisition that the place which they had long possessed should not be taken from them, whill their right wer deeyded by the Judge ordinar, moued the counsell to direct some to deale with them to conforme themselues to the counsels aduyce, with declaration that it should be without preiudice of their rights before the ordinar Judge. The opponents refused to consent, but the Earle of Niddisdail offered to do what the counsell would command, if they would testifie to your maiestie, by their letter, that he had done it for obedience to them, and for eschewing the hinderance of your maiesties seruice, which they, being unwilling to vndertake, he, for the same respect of desire to remoue all occasion of

disturbance of your maiesties seruice, yeelded to accept of such a place a part as the counsell fould assigne to him, whereby he fould neither take place at this time before his opposites, nor accept of a place that might import a preiudiciall testimonie of his yeelding to a place inferiour to any of them. So by his discretion the present contention is declined, whill your maiesties knowne will, fall preferiue a cleir expedient in their controuerfie.

Some thing hes beene talked of the Earle of Angus his intention to craue vote before the Marquis of Huntlie, from which we haue preassd by freindlie aduyce to divert him. If he persist, such order will be taken as may likewise settle that distraction, that we may proceed in the dutifull performance of your maiesties direction. If the multitude of the nobilitie, whoes opinions and votes must be hard, force vs to spend large time, I will humblie beg your maiesties patience and pardon for my delay to wryte till the mater be broght to a conclusion.

The patents for the Vicountes are commanded to be speedelie exped, and shall be sent with diligence with God grace, whom I beseech long to preferue and blesse your maiestie with all prosperitie and contentment. Edinburgh, 23 Nouember [1620?]

Your most sacred Maiesties most humble, faithfull,  
and bund seruant and subiect,

MELROS.

CCXXIII.—THE EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

MY letter of the 23 declared the occasion which made that day to be vnprofitable spent. The comon letter sent herewith to your maiestie by the prelates, nobilitie, and counsell now in towne, will signifie

the generall willingnes of them all to heartelie obey and reallie performe your maiesties commandement. Thir lynes ar to beg your maiesties pardon for a more particular relation of some of the circumstances in the progresse of the businesse. The whole number met vpon the 24, and, after reading of your maiesties letter twyfe or thryfe, my lord Chancellor, wifelie and eloquentlie acknowledged, that no man wes either able to adduce so good reasons as your maiesties letter conteaned, or by copious speech to make them more sensible, but who euerould presume to illustrate them, might, like an obscure glosse, wrong an excellent text. And after relation of the common duties which oblige subiects to their princes, remembring many singular fauors, whereby your maiesties most vertuous and iust gouernement, and infinit benefites, had more stricte bund this estate in generall, and eurie nobleman in particular, he rehearsed notable examples of timelie and frie supplies giuen by princes and estates to their distressed confederats, with speciall remarque of the noble and kynd dutie performed by Hieron, king of Sicile, to the Romans, after their ruinous ouerthrow in the battell of Trasimenum, recorded by Liuius. He concluded with an earnest exhortation to all men to schew, in this iust querrell, their liberalitie, which he defined to be a good deid proceeding from a frie mind. He wes seconded by my lord of Santandrois, who, adding reasons of coniunction in religion and comon perrell both to our liues and consciences, declared, that he resolved not to propone any argument for the iustice and necessitie of the desired supplie, which he knew no man either in heart, wound, or deid, would deny, but thought it most expedient to aduise vpon the meanes, how it might be most speedelie and profitablie yeilded, since the scarcitie of moneyes in the cuntrie would be the greatest impediment to the best mindes, and therefore wished to aduise how moneyes might be had, either by lightening the pryce both of your maiesties coyne and foreyne spesces, or any other good and expedient meane. The bishop of Aberdene told, that manie of the nobilitie wer absent, and none of the prelates present but my lord of Santandrois and him self, none of the rest being sent for bot my lord of Glasgow, who wes tied to his bed by seeknes, and the bishop of Ros, who being in his diocie, had not timelie warning; which respect, and the absence of so manie of the

nobilitie, vpon whom those that wer present had no power to impose anie burding, made him to think that your maiesties intent might be better satisfied by parliament, where order might be giuen that euerie man might be taxed *capitatum*. But he wished he had been so happie as to haue knowne, whether your maiestie intended that this cuntrie shoulde yeeld a yeerlie contribution, so long as the warres continued, or, that a contribution being at this time largelie giuen, shoulde releiue the people of further burding, to the effect the quantitie might be proportioned to your maiesties intention. The earles of Mar, Erroll, Montrois, Roxburgh, Tullibardin, Wigton, the lords Scone, Carnegie, and others, who wer required to speake, appeired all to contend who shoulde expresse greatest willingnes to satisfie your maiesties desire, which, they acknowledged to be not onlie expedient and iust, but most necessar. My lord Chancelars command forced me to speake, when I could hardlie find what to say, that had not bene already better expressed by others, yet for obedience, and to eschew repetition, I onlie preassed to refute an obiection made, not by anie of the nobilitie, but come to my eares by report of speeches vttered by the ignorant vulgar, or euill affected persons: That thir warres of Germanie did not concerne this nation, onlie accustomed to serue personallie for defense of their native cuntrie, and when euer they gaue aide to any forein confederat, it wes onlie by furneishing men, vpon the charges and pay of those who fought our assistance, and not by money, wherof we had in all bipast ages bene vnfurnished, and neuer more nor at this present, which I affirmed to be a grosse and popular errour, since no preceeding occasion wes comparable to this, requyring the necessar defence of the patrimonie of your maiesties children: wife men in all well gouerned estates hauing euer esteemed that the children of their kings wer the pillars, bulwarks, and fortresses of their estate, and iewels of the kingdome, so precious and inestimable, that, owt of desire to haue that blessing, the subiects had many times importuned, and almost forced, their vnwilling or delaying kings to marie. That Tibere, one of the wisest emperours that euer wes, said to the senat, that the reason of his adopting Drusus and Germanicus, wes, *ut pluribus munitis niteretur*. That Titus, the most gentle and vertuous of all the emperours, had said to his father Vespasian, *neque exercitus nec classes*

*tam firma esse Imperii munimenta, quam liberos principis.* That Herodian recorded that the Romans, who presumed als freele of old to make gods, as the popes had senfyne vsurped to make fantes, did not deifie any of their emperours, but such as lest children to succeed to the empire. That Christian emperours, had, with consent of their nobilitie, and of their prelates, when the church wes verie neer the first and greatest puritie, repudiated their wyues onlie because they wer barren, alledging, for example, Charlemaine, who wes the godliest and greatest of the Christian emperours. That since, France pretended their Salik law to exclude the doghters of their kings from succeeding to the crowne. Lewes the Sevint had repudiated his first Queene, being heire of Aquitanie, because scho had only doghters, that he might marie another with better hope of male children. I abstained from more exemples, albeit many wer recorded in the histories, thinking such as wer already alledged, sufficient to proue, the children of princes to be the greatest and best part of the estate, and that the queen of Boheme, (whoes vertues wer so vniuerfallie honored and admired, as scho had extorted the confession therof from the verie enemies of hir husband) had brought such strenth and happines to your maiestie and your subiects, by the multitude of hir most hopefull children, that they might be thought traitours to both, that shoulde pretend the warre moued for the ruine of their patrimonie, not to be a querrell, als proper and important to your maiesties subiects, as if it wer raised in the verie bowels of this kingdome. And therefore, coming to the next obiection of our scarcetie of money, I affirmed that it wes sufficientlie answered by your maiesties gracious declaration in your letter, that ye knew that moneyes wer scarce, but that litle would be graciously accepted, and would help to do a good turne. That the best expedient wes, that the nobilitie shoulde schew the way, and giue exemple to the inferiour estates. That in the distresse of Rome, when the impouerished people, recharged with redoubled contributions, wer ready to mutine, the Consul Leuinus aduised the senatours, who, from the verie foundation of that estate, had bene exempted from all taxations, to renunce their priuilege, and contribute all that they could therby, to encourage the people to follow their exemple, which, being embraced, did stirre so vertuous

emulation in men of all qualities, that their liberalitie wes so speedelie and abundantlie broght in, *ut neque triumviri accipiendo, nec scribæ referendo, sufficere valerent*. That in the ciuill warres of France, the reitres armie come to assist the Protestants vpon promise of pay; being frustrat therof, began a desperat tumult, tending to the apparent ouerthrow of the Protestants cause, which the principals of the French armie being vnable to prevent by any other meane, resolued vpon a voluntarie contribution, which wes vndelaiedlie performed, not onlie by the nobilitie and gentlemen who had some meanes, but also by the comon fouldiours, who had more reason to craue their owne pay, nor to contribute to that of others, yea the verie goniat exhibited all that litle which wes in their purses, to satisfie the strengers. That the Persians wer obliged, by a receiued custume, to offer presents to their kings where ever they rencontred them. And Artaxerxes, one day, coming vnspectedlie to a place where a poore rustik casuallie met him, the perplexed subiects miserie affording no thing to offer his prince, he ranne suddanlie to the neereft riuer, where, taking some of the cleir water in the lusses of his hands, he presented it to that great monarche, who, respecting the well affected heart placed in that poor breast, did so graciousslie accept of his offer, as he commanded the water to be put in a phiole of gold, and to be placed and carefullie kept amongst the most pretious jewels of his infinit treasor. That I had red of old that the Massilians (if I be not mistaken of the peoples name) being so ruined by their enemies in a nauale fight, as the most part of their schips wer either sunk or taken, and the few that escaped wer so torne and disarmed, as wanting cabils, towes, and all sort of cordages and necessar furnitour, they wer altogether vnfit for seruice, and the estate so poore and destitute, both of meanes and forein aide, as their case wes counted desperat, their matrones and maides, who weare long haire as an ornament and badge of their chastetie, with comon resolution, did cut all their haire and bring it to the publik storehouse, their to serue for making towes, cabils, and other necessars of the nauie, whereof did chiefly result the restauration of their ruined cuntrie, and immortall renome to their women as principall instruments therof. These examples, I thought sufficient both to incourage and direct ws, to supplie the weakenesse of our meanes, by the alacritie of our readie and

spedie contribution, and that no man could either refuse or delay his vttermost beneuolence, but he that was destitute of sincere affection. That meeting ended in a choise of a number of noblemen, prelates, and other counsellours, appointed to conueene vpon the 25, in the forenone, to aduise vpon the best meanes to performe reallie what wes intended by all for your maiesties best satisfiæction. Vpon the 25, a signification of the earle of Angus intention to crave vote before the marquis of Huntlie did interrupt the effect of that dyet. But, conueening in the afternone, the earle of Angus yeelded, onlie making a modest protestation, that it shold not preiudge his right in time coming. Threfter my lord Chancelar recommended ferioullie to all the assemblie that they would heartelie concurre in the proposition of the particular meanes that might best bring your maiesties desire to good effect, agreable to their vniforme intention; and willing my Lord of Santandrois first to speake, he renewed his former persuasions to proceede reallie and sincerelie in the businesse, speciallie in foreseeing some course, how moneyes might be had in greater quantitie, the want wherof wes the greatest, or reither the onelie latte, to the present execution of our faithfull resolutions; adding, that albeit those who wer present shold extend and exceed their vttermost abilitie, the fowme would not be wourthie to be offered to your maiestie, and could import no thing but a discouerie of our pouertie, and therefore thought it more convenient that the burding shold be imposed vpon the whole subiects by taxation. The earles of Morton, Erroll, Montrois, and all the rest who wer desired to speake, wer of that same opinion, and schew that many privat men wer more able by their wealth to contribute, nor some of the greatest qualitie, and therefore desired that some course might be taken to charge them with a burding answerable to their substance. The bisshop of Aberdene seemed to feare, that, the ouuerture not tending to a present satisfiæction, might be displeasing to your maiestie. When I wes commanded, I gave my opinion, that, since the cumpanie inclined to an imposition vpon the estates, it could not well be done but by parlement, no other judicatour having power to impose any viiually formes of contribution, or to infringe the immunities of priuiledged persons, or to force those, who, by their anvelrents, had surest, easiest, and greatest wealth, to contribute. But if the emperour Niger



had, in time of no great neceffitie, imponed tribute vpon his people, *non tantum ratione soli, sed etiam ratione cali*, your maiestie, for this iust and most important cause, might lauffullie taxe those who inioy *solum et cælum* in your dominions, with peace, safetie, and wealth, vnder your maiesties iust and royall protection.

For the delay of time, I thought the course by parlement speedier nor the other, since a voluntar contribution requyred particular mens employments in eurie remotest schire of the kingdome, and dealing with errie fingle perfon of whom ought wes to be craved, who being bund to no other rewle, but that of their owne will, many who might do best being so niggardlie, and their knowledge of their dutie could not moderat their auarice, no thing wes to be hoped of them, but either refusall or grant of vnwourthie sowmes to long dayes, which, brought in, in finall parcels, could neither promise good nor speedie effect. Whervpon the mater being put to voting, all in one voice thought a parlement the onlie best way to satisfie your maiesties intention. If your maiestie dislyke not this expedient, vpon signification of your royall pleasour, all will be diligentlie profecuted according to direction; and if your maiestie preferiue any other course, all men appeir disposed to manifeste their zeale to obey whateuer fall proceed from your royall wisdome. So, beseeching God long to preferue your maiestie to direct and protect ws, and to multiplie his wounted blissings vpon your maiestie and your royall posteritie, I rest

Your most sacred Maiesties most humble, faithfull,  
and bund seruant and subiect,

MELROS.

Edinburgh, 27 Nouemb. [1620?]

To the Kings most sacred Maiestie.



## CCXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiesteis directioun, we caufit charge the lord of Scoone, and Patrik Pitcairne of Pitlour, to compeir befor youre maiesteis counfaiil, this present last day of Nouember, ffor cleiring of that complainte and informatioun maid to youre maiestie, on the behalff of the said Patrik aganis the said lord of Scoone, towcheing certane oppressiounis and wrongis, alledgeit committit be the said lord aganis him, and specifit in the petitioun gevin in to youre maiestie thairanent. For obedience of this charge, bothe the pairtyis compeirit befor ws, and the said lord, verie instantlie and eirnistlie, vrgeit his tryall vpoun these pointis contenit in the said petitioun; and accordinglye, we layed to the said Patrik his charge, yf he had maid ony fuche complaynte, vpoun quhat ground and warrand he had done the same, and quhat verificatioun he had for proueing thairrof. He excuist him selff, that he had no purpois nor intentioun directlie to haif made ony fuche complaint to youre maiestie, and that he had givin no warrand nor directioun to that effect; bot that, vpoun occasioun of some greevis, quhilkis, he had aganis the said lord, he, in the moneth of Junij last, write vp to some of his freindis at courte to haif beggit ane lettre of recommendatioun frome your maiestie to your aduocat, to haif tane some panes for satling of all materis questionable betuix the said lord and him freindlie, and faillyeing thairrof, to haif assistit him in his iust and laughfull caufs, and that this wes all that he did, without ony purpois or intentioun to haif complenit; and howeuer the petitioun wes drawne vp in other termes, he could not anfuier for it, becaus he had not gevin informatioun thairto, nor never saw the same. This excuse being maid in the said lord his audience, he notwithstanding still insifted to haif bene tryed; bot seeing the other fled the tryall, and denyit the complainte, in maner foirsaid, we could proceid

no forder thairintill, bot to gif notice to your maiestie of the excuse; whilk in all humilitie remitting to your maiesteis confideratioun, and praying God to blisse your maiestie with mony lang and happie yeiris, we rest

Your Maieftis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
J. ERSKYNE.  
R. COKBURN.  
G. MURRAY.

MELROS.  
GEORGE HAY.  
LAUDERDAILL.

Edinburgh, the last of Nouember 1620.

To the King his most sacred and  
excellent Maieftie.

CCXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS your maiestie wes pleasit, in the fax hundreth and ten yeir of God, vpoun the humble suite of the lord Elphinstoun, to honour that familie, quhairof, vnder your maiestie, he is cheiff, with ane approbatioun of thair genealogie, and with ane attestatioun, that one Peter Elphinstoun (who and his prediceffouris hes leved thir mony yeiris bigane in the kingdome of France in the qualitie of gentilmen), is lineallie and laughfullie descendit frome his hause, as your maiesteis patent, grantit thair-upon vnder your grite seale, bearis. This patent wes thairefter acknowledgeit, with all dew respect, in the fouerane courtis of France, and the gentleman accordinglie established in the hereditarie possessioun of his digniteis, whilkis he hes peceablie inioyed till of laite, that some perfonis,

inveyeing the gentlemanis estate and conditioun, hes begyn not onlie to questioun the qualitie of his pedigrie, bot with that, thay haif iuditallie challengeit youre maiesties approbatioun and attestatioun grantit thair-upoun, as testifeing a supposed trewthe, and as purchest surreptitiousslie frome youre maiestie; and vpoun this pretext they intend to wrong the gentleman, and to bring youre maiesteis royall attestatioun, whiche is aboue all exceptioun, in questioun. Quhilk being a mater of speciall animadversiou, and toncheing youre maiestie verie neir in honnour and credite, yf youre royall seale shall thus way be broght in questioun, we haif pre-foomed to gif notice of the same vnto youre maiestie, and, in all humilitie, to requeist youre maiestie to write to youre ambassadour resident at Pareis, to attend this bussynes, and to compleane of the wrong done vnto youre maiestie by medling with the sacred auctoritie of youre maiesteis seallis; and for th[is] that he not onlie insift with the Franshe king and his counsaill, to procure frome thame ane prohibitioun to the iudgeis of the courte of aidis, befoir whome the gentilmanis proces is presentlie agitat, to forbear all forder medling in that mater, or quarrelling with the auctoritie of youre maiesteis seale, whilk, after dew tryale and cognitioun tane in the caus, wes trewlie, and of youre maiesteis certane knoulege, grantit, bot with that, that thay, nor no other iudgeis within the said kingdome, prefoome to meddle in a mater of this qualitie heirefter. And so, praying the Almighty God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitoris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
G. MURRAY.

A. MAR.  
GEORGE HAY.  
R. COKBURNE.

Edinburgh, 14 December 1620.

To the King his most sacred and  
excellent Maiestie.

## CCXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING, according to youre maiesteis directioun, of the nynt of Marche last, verie cairfullie pervfed that signatour<sup>1</sup> of the burgh of Edinburgh, fend down be youre maiestie to ws, anent the new worke of making of cloathis and stufis, intendit and begvn within the said burgh; and haueing, after diuers and findrie meetings and conferenceis with the magistratis of the said burgh, discussit all the obiectionis and doubtis that wer proponned aganis the said signatour; in end, after mature aduise and deliberatioun, we causit forme and draw vp a new signatour, with fuche prouisionis, limitationis, and restrictiounis, as we thocht meete for the weele of the cuntry, and that nane of youre maiesteis subiectis shold be preiudgeit or excludit frome intending the lyke workis in other conuenient placeis outwith the liberties of the said burgh. Qubilk signatour, markit on the bak be the clerk of youre maiesteis counsell, we fend vp to youre maiestie in the moneth of August last, with oure lettre, beareing the forme of oure proceeding in that busynes, and quhat goode hoipis we had that this worke wald proue profitable and honnourable to the cuntry. Bot the importance of youre maiesteis more weyghtie and priucelie affairis interven[ing] in this meantyme, haueing withhaldin youre maiestie frome thinking vpoun that mater, and frome returning vnto ws youre maiesteis opinioun concerning the said signatour; and quhairas now the advancement and perfectioun of that worke, whilk youre maiestie hes so eirnishtie affectit thir mony yeiris bigaue, dependis wholie vpoun that signatour, we wilbe bauld, in all humilitie, to requiest youre maiestie outhter to returne the same vnder youre maiesteis hand, or then to latt ws kno[we] quhat defectis youre maiestie hes fund in the same, that, after consideratioun thairof, we may caus rectifie the same accordingle. This worke hes bene verie chairgea[ble] to the said burgh, and thay haif maid grite preparatioun of buildingis, and all otheris thingis necessair for advance-

ment of the fame; and yf now the progres thair of falbe interrupted or hinderit, thair is no appeirance that ever the said burgh will fett it afute agane, bot that it will altogidder perishe, without ony hoip to be reftoirit or fett vp agane; whilk remitting to youre maiefties moft iuditious confideratioun, and humelie praying God to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiefties moft humble and obedient  
fubiectis and feruitouris,

AL. CANCELL<sup>r</sup>.

WINTOUN.

CARNEGIE.

MELROS.

LAUDERDAILL.

KILSAYTH.

J. ERSKYNE.

R. COKBURNE.

G. MURRAY.

W. OLIPHANT.

LOTHIANE.

GEORGE HAY.

Edinburgh, 14 December 1620.

To the King his moft sacred and  
excellent Maieftie.

## CCXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOURE maiefties lettre of the xij of this instant, by the quhilk, youre maieftie of new recommendit to youre counfell, the vrgeing of youre maiefties firft directioun and demand, of a voluntair contributioun frome youre nobilitie and counfell, for defence of the Pallatinat, come heir the nyneteene at night, and wes presentit this day to youre maiefties counfell, of whome nane wer present bot the erll of Mar and laird of Marchinstoun, with youre maiefties ordinar officiaris, and these of the sessioun whose placeis aftriectis thame to a daylie and ordinar attendance; the baill remanent of the counfell, in respect of the approtcheing vacans, haueing, after

the diffolueing of the laite conuentioun of the nobilitie, reteirit home. Yourre maiefteis lettre being red, and with mature and dew aduife confiderit, we aggreit that, with all conuenient diligence, yourre maiefteis hail counsaill and nobilitie shold be broght heir agane, and we haif appointit thair meeting, and hes writtin missiues vnto thame to be heir in this toun vpoun the xxij and xxv dayis of Januair nixtocome, to witt, the counsellouris vpoun the xxij daye, and the nobilitie vpoun the xxv; at quhilk meeting all goode meanes and perswasionis shalbe vsed quhilkis may induce first yourre maiefteis counsell to begin, and then the nobilitie to follow, and to gif yourre maiestie the best and most effectuell satisfiactioun that possiblie we may procure. And so, praying God to blisse yourre maiestie with mony lang and happie yeiris, we rest

Yourre Maiefteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>r</sup>.  
MELROS.  
GEORGE HAY.  
A. MAR.

LAUDERDAILL.  
R. COKBURNE.  
CARNEGIE.  
J. ERSKYNE.

Edinburgh, the 21 day of December 1620.

To the King his most sacred and  
excellent Maiestie.

CCXXVIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

I HAUE, for obedience of your maiesties commandement, writin to all the noblemen who pretend interest of opposition to the Earle of

Niddisdails precedence, to be before the Counsell the ellevint of Januar, that I may there declare to them the true and iust causes of your maiesties resolution, to haue them to forbear farder contestation in that mater.

I haue also schowne to the Earle of Angus your maiesties pleasour in the controuerſie betuix the Marquis of Huntlie and him ; who answered, that he wes confident of the iustice of your maiesties vnpartiall intentions to both parties in that question, and that his clame wes not for prece-dencie of rank before the marquis, wherein he wes to cede to the marquis, but that the first vote in parlement and publik conventions being granted by your maiestie and your royall progenitours to him and his predeceffours, not as first earles, but by particular prerogative and privilege, by autentik infeftments vnder the great seale of the kingdome, he hoped your maiestie would be gratiouſlie pleased to allow him to inioy the benefite therof. I desired him to set downe in writ the grounds of his pre-tensions to be offered to your maiestie by some of his freindis at Court, vpon sight and due consideration wherof he might expect your maiesties iust determination of the busines, which he hes promised to do.

I deliuered your maiesties letter to the Prouest of Edinburgh, who imparted it to the counsell of the towne, and they haue promised according to their bund dutie to obey. I haue also sent your maiesties other letter to the Archibishop of Santandrois, who will vndoutedlie proceed as he is commanded.

Your maiesties letter for the contribution being red to a verie vn-frequent counsell, their anſuer to your maiestie will schow, that they ar speede-lie to write for all that ar of your maiesties counsell in this kingdome, to conueene heir the 23, and the rest of the nobilitie to keep the 25 of Januar. If any persuation could haue produced good hope of succeſſe for a competent contribution, it had beene granted at the last meeting ; but it is still feared heir that difficulties shall be found in that proiect, and your maiesties last letter declares your maiesties opinion, that the delay of the supplie, whill it maybe broght in by taxation to be granted by parlement, may be so flow, as in effect it may proue both vntimelie and vnp ofitable. For remedie wherof, my humble opinion is, that if the fowme can be ob-

t aued in parlement correspondent to the iustice and necessitie of the most important affaires for which it is craved, either the bourrowes, who ar the onlie men that hes money in this kindome, may be dealt with to aduance the fowme, deduceing to them the anvelrent proportionable to their aduancement before the terme of the taxation, or some particular men may be dealt with to aduance the money, with allowance for the anvelrent, and assurance that the escheates and lifrents of those who fall go to the horne for vntimelie payment, fall be freeleie disponed to them. God is my witnes, that this motion proceedis of the true desire I haue to sie the substance of your maiesties intention most really satisfied, and not being imparted by me to anie creature leiving, can do no harme, if your maiestie judge it vnwourthie to be published. And what ever course fall seeme best to your maiesties incomparable wisdom, none of your best affected seruants, how far foeuer they exceed me in meanes of persuation, fall surpasse the loyaltie of the indeuours of my bodie and mind to procure the best effects of your royall desires therein. So, prayeing God to prosper your maiesties interprises, and preferue your health and sacred person and posteritie in all prosperitie als manie happie yeeres and ages as humane condicion can admit, I rest

Your most sacred Maiesties most humble and  
faithfull seruant and subiect,

MELROS.

Edinburgh, 22 Dec. [1620?]

[To the Kings most sacred Maiestie.]



CCXXIX.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE nobilitie and counfell being conueened in this towne, as they wer appointed, vpon the 25 of this moneth, they spent that day and the nixt, in deliberation vpon the best meanes to giue humble and effectual satisfackion to your maiestie, in your desire of their supplie to the defense of the Palitinat, the natieue patrimonie of your maiesties grand children, and finding findrie things necessarie to be proponed to your royall consideration, which they thought could not so conuenientlie be represented by letter, as by more ample relation of one of their number, the Archbischop of Santandrois being verie instantlie requested by them all to vndertake that charge, which he could not well decline, hes resolved not to loofe any time, but hes alreadie begun his journey towards court, least delay might haue procured your maiesties offense, and hinderance to that important and most necessarie businesse, which all good subiects do zealouflie affect. No thing will hinder the haste of his passage, vntill the extremitie of euill weather, or secknesse, disable him to end it so speedelie as he earnestlie intends. If your maiestie be graciouslie pleased to suspend your resolution till his coming to court, your maiestie may be assured that he will either propone the meanes which your maiestie will approue, or, if any other course be vnalterable determined by your maiestie, at his returne, your maiesties pleafour being signified to the nobilitie and counfell, I verelie hope it shall be obeyed to the vttermost of their abilities, which I humbly remit to your gracious consideration. And earnestlie praying God long to preferue your maiesties life, health,

and prosperitie, which assure the accomplishment of all the wishes of your  
subiects for their perfite wealth and peace, I rest

Your most sacred Maiesties most humble, faithfull,  
and euir bund seruant and subiect,

MELROS.

Edinburgh, 29 Januar [1621?]

CCXXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Vpoun knowledge of youre maiesteis will and pleasour, for con-  
vening of the esteatis of the kingdome in parliament, and after dew con-  
sideratioun had of the convenience of the tyme, alfweele, for the weele  
and ease of the subiectis, as for the more solemne and frequent meeting  
of the esteatis, we haif maid choise of the first of Junij now approtching,  
and causit proclame the parliament to that day. The resõis for the  
choise of this dyet, being groundit vpoun fuche respectis, as we could not  
goodelie prevent that day, becaus the ordour of the parliament not onlie  
requiris a laughfull intimatioun at the mercatt croce of Edinburgh, and  
otheris placeis neidfull, vpoun fourtie dayis wairning, bot lykewayes pre-  
ceptis frome youre maiesties chancellarie, and misliues frome youre  
counsell to the haill esteatis, must be directit and delyuerit; the dispatche  
quhairof will require lairge tyme. And nixt, nomberis of youre maiesteis  
subiectis, especiallie the nobilitie and baronis, ar vnder so grite burdyne  
of debt to be payit at the approteching terme of Witsonday, the outred  
quhairof importis thame verie neirly in thair credite and standing, as  
nouthir may thay neglect nor slip that terme, nor can thay convenientlie  
keepe ane other dyet afor the same aboute the end of Aprile, becaus that  
wald draw a double trouble vpoun thame, and mak thame subiect to tua

dyetis, quhairby it wes to be feared, that mony forced by the neceffitie of thair hard esteatis, wald choose rather to haif incurred the danger of the vnlaw of parliament, nor to neglect the terme. And forder, the subiect quhairin the esteatis ar to gif vnto youre maiestie satisfiactioun is alreddy fo weele knowne vnto thame, that, in oure opinionis, the terme of Martymes nixt, falbe designit for that purpois, quhilk may als conuenientlie be done in Junij, as yf the parliament had bene foner indictet, sua that the precipitacioun of the dyet of the parliament, could nowayes forder nor advance the earand, bot procure trouble and vexatioun to the subiectis: the confideratioun quhairof moued ws to mak choise of this day as the most fitte and proper tyme, being after the terme quhen euery manis buffynes wilbe dispatcheit, and quhen the esteatis may at laiser attend. And we humelie beseeche your maiestie, to vouchsaif youre gratiuous allowance and approbatioun to this oure resolutioun for the dyet of the parliament, quhairin we had no other respect bot to procure vnto your maiestie all wisshed contentment, with als litle trouble to the subiectis as possiblie may be; and so, praying the Almighty God to wathe ouer youre sacred persone, and to grant vnto youre maiestie mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELLS.  
A. MAR.  
WINTOUN.  
MELROS.  
LAUDERDAILL.

J. ERSKINE.  
W. OLIPHANT.  
G. MURRAY.  
R. COKBURNE.

Edinburgh, octauo Martij 1621.

To the King his most sacred and  
excellent Maiestie.

## CCXXXI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE Lords Chancellor, Thesaurar, and I, according to the commandment of your maiesties letter to ws, met with the Lord Archbischop of Santandrois, and aduised vpon the maters mentioned in the letter, and others related by him to ws, by your maiesties direction, and agreed in vniforme opinion, that we could no way presume to nominat a commissioner to your maiestie, your owne experience and knowledge of the noblemens sufficiencie and disposition, and your incomparable wisdom, being onlie able to make the fittest choice. So that we can meddle no farther in that point, but humbly to pray your maiestie to consider that the person to be trusted with that weightie charge, must, in the honorable exercise therof, be forced to be at great expenses, and so will need some releif from your royall bontie.

Anent the sowe of the contribution, we could proceed no further, but to conclude that we must all studie to extend it, to the greatest quantitie, that the cuntry can beare, and for that purpose, to prepare all with whom we can haue opportunitie to confer, before the parlement, to yeeld to the hieft rate, and to perswade others to do the like, and to foresee the best reasons and means that may induce euerie estate to a verie large contribution, according to our assured good hopes. We reasoned vpon the forme of the imposition, and of the maner of payment therof, not forgetting the large help which may be exacted of the welthier sort, which heretofore haue been free of all taxations, they neither being churchmen, landedmen, nor burgeses; neither could it be well seen how they might be brought vnder the necessitie of contribution. For removing this dowt, I proponed that the ordinar taxation being granted in large quantitie, might be imposed vpon the estates in the accustomed maner, and an act of parlement obtained, ordaning, that the wealthie anelventars shold contri-

bute to the fupplie of your maiefties moft important and neceffarie prefent affaires, for which effect commiffion fould be giuen to a felected number, to call and taxe them to a reafonable proportion of fubfidie, according to their flock and rent, and to fummond them by open proclamation to compeir at a certaneday, to giue vp a true declaration of the fowmes, for which they receiued anvelrent, by infeftment, band, or other securitie whatfoeuer, and if need wer, vpon deniall to put them o oath, or to proue aganis them by writ; with certification, that all the fowmes concealed by them fould be confifcat to your maieftie, wheneuer they fould be difcouered, and if the dettour would dilate them, he fould be frie of the thrid of his debt for his panes, he payand to your maieftie the two part thair-of, which the lords confented to; and if this courfe receiue your maiefties approbation, it fall be proponed and carefullie prefented.

It wes thought be ws, that your maiefties difcharge of bypaff contrauentions of the penall statutes, will greatlie encourage the people, now ftanding in feare of vexation, by reports of fome mens intentions to beg warrands to trouble the fubiects by fuch perfutes, to grant the more willinglie to a large taxation, and that much more may be expected if it fall be allowed to come in at findrie termes, nor if it fall be preaffed to be payed all at one dyet.

My Lord of Santandrois tolde me, that your maieftie had directed him to command me to fend vp a warrand for appointing a commiffioner, which I fent heirwith; and that I fould alfo fend the frame of a letter to be directed to the eftates, which I haue likewayes obeyed, but with iuft feare that the prolixitie may offend your maieftie, and that more fall be found in it to deleet or alter, nor to be allowed. But I ftill hope that your maiefties accustomed grace and bontie to me fall procure my faithfull obedience to be accepted for facrifice; and thank God that I haue a royall maifter, excellent aboue all others, in well doing, fpeaking and writing, to pardon, couer and amend my defeects; and as in France their king is compted the firft fecretarie of eftate, and hes affigned to him (as they terme it) la premiere bourfe of their fies, fo I am affured, that when all the beft fecretaries of the world fall be conuened, they will be found inferiour to your maieftie in the fkill of their owne profeffion, and I being

one of the most incapable, must regrave and excuse my errors with the misfortune of wanting the happiness of your majesties particular directions, and still have recourse to your majesties gracious and benigne construction, which, with innumerable other benefites and favours, fall make me incessantly to beseech God to continue his blessings to your majesties subjects by your long and happy life, and ever to comfort and strengthen your royal mynd with the prosperous success of your princely enterprises, and accomplishment of your desires. Edinburgh, 29 March [1621 ?]

Your Majesties most humble, faithful, and  
eternally bound servant,

MELROS.

To the Kings most sacred Majesty.

CCXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

THE compts of your majesties thesaurarie and comptrollarie being lately maid in your majesties exchequer, and verie narrowly examined and remarkit, be those who were trusted with the busyness, it is clearly fundin that your majesties casualtyis and rentis are verie far diminished, and come shorte of that quhairunto they amounted in the preceding compts, the occasion quhair of hes proceeded partly from the decay of the trade and handling, quhilk is wonderfullie fallen of, in all the parts of this kingdom, and partly from the small prices that the victuall presentlie gevis. And althocht your majesties thesaurair and depute thesaurair, with the concurrence of the commissioneris of your majesties rentis, hes bene verie sollicit, careful, and diligent to supplie and sett vp this defect and diminution in your majesties rentis, by findrie means and ways,

quhilkis thay haif cairfullie followit oute to that effect, yitt thay can not bring your maiesteis rentis, and the burdynis lyand and daylie increseing vpoun the officis, to ane equall proportioun; with the particularis quhair of we being loathe to impashe youre maieftie, and youre deputie thefau-  
 rair being desyrous to gif ane accompt thair of to youre maieftie him selff, we haif allowed of his goode intentioun in this pointe, and wilbe bauld humelie to intreate your maieftie, that quhen he comes thair, youre maieftie wilbe pleasit to grant him fauourable acceffe to youre royall pre-  
 fence and benigne audience, to relate vnto youre maieftie fuche particu-  
 laris, as he hes to propone for the advancement of the seruice, with fuche laughfull furtherance and assistance as may in able him to discharge the fame to your maiesteis honnour and contentment of the subiectis. And so, praying the Almighty God to preferue your maieftie in helthe, and to blisse youre maieftie with mony lang and happie yeiris, we rest

Your Maiesties most humble and obedient  
 subiectis and seruitouris,

AL. CANCELL.  
 MELROS.  
 KILSAYTH.

GEORGE HAY.  
 W. OLIPHANT.  
 J. HAMILTON.

Edinburgh, 29 Merche 1621.

To the King his most sacred and excellent  
 Maieftie.

CCXXXIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

My iust greif for my errour in the narratiue of the letter to the parlement, forces me to importune your maieftie with my most humble

fute for pardon, and for your maiesties gracious permission to adde this true excufe, that not hauing direction or warrand from your maiestie to enterteane correspondence with anie strenger, I haue carefullie forborne to do it by wourd or writ; neither haue I knowne from court, either by particular letters to my self, or by anie wretin to the counsell heir, anie certanetie of the estate of the affaires of the Palatinat or Boheme; and fo wes forced to follow the incertantie of popular reports. I submislie befeech your maiestie to be graciously pleased, at all efter following occasions, to make me happie by more particular direction of your most excellent wisdome, which I fall follow as the infallible reule of dutie.

As to the contribution, wherof your maiestie commands me to haue care, all the nobilitie and counsell ar witneffis of my zeale expreffed in that mater at both conuentions, by such reafons and exemples, as bind me to continow and to adde all furdur perfuasions which my weake iudgement, reading, or experience can furnifh. And the innumerable graces receiued from your maiestie fall make me incessantlie to befeech God to perpetuat to your maiestie, and your royall posteritie, the perfection of all happineffe in heauen and earth, and to remane

Your Maiesties most faithfullie humble and obedient  
subiect and feruant,

MELROS.

Edinburgh, 28 April [1621?]

To the Kings most sacred Maiestie.

CCXXXIV.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

YESTERNIGHT I receiued by packet of the tuentie, your two letters of the 17, and haue, as ye aduifed me, wreten to yow this other



letter, to be showne to his maiestie when ye find opportunitie. The counsell is to conveene vpon the fourt of June, at which time I fall presente your roll, and fettle that turne conforme to your direction, in the best fort I can.

Your busines with Waughton delayes by Sir James Bailies default, who receiued from Mr Francis Hay the contract fifteen dayes ago, and still reteanes it; so, till his returne to this towne, nothing can be done therein. I wrote to yow before of the conference I had with my lord Stormont, wherby I sie no appearance of farder progresse in these affaires, vnles he change his mind. In the meantime, things may rest as they ar; and whill ye sie some better resolution in him, ye may forbear to furnish moneyes for the vse proponed by him, pretending iustlie the greater necessitie of the releif of debts vndertaken for your bargane of Tunigham.

I deliuered your letters to James Hamilton, who wes returned before they came to my hands.

I am glade ye haue fetled with the earle of Niddisdaill. In your question of nighbourheid, I fall do the best offices I can for settling it, if these for the other partie please to proceed vpon the grounds intended by yow, which I scarcelie expect, and feare he leane too much to the opinion of his right and power of his freinds heir; but if it turne to that, I am confident that many whom ye haue oblihed, will proue honest and thankfull men in all lawfull dutie. It fall be aganis my will, it go to that triall, vnles their strictnesse force it. So, wishing yow all happinesse, I rest

Your faithfull and euer obedient freind,

MELROS.

Edinburgh, 28 May [1621 ?]

To the right worshipfull John Murray of  
Lochmaben, one of his Maiesties  
Bedchamber, at Court.

## CCXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiefteis lettre of the fecund of May laft, by the quhilk, it hes pleafit your maieftie, to recommend vntows the confideratioun of that petitioun, exhibite vnto your maieftie on the behalf of Ludonik Steuart, brother to the Lord of Blantyre, anent the erecting and fitting vp of beacons vpoun the fhallow pairtis and blind craigis, within the river of Forthe, and it wes your maiefteis pleafour, that we fould returne vnto your maieftie, oure opinioun anent the expedience of the granting of that petitioun, in the quhilk point, as with all dew refpect, we acknowledge youre maiefteis moft fingulair and prudent directioun, and youre excellent foirfight and wifdome, in foirbearaing to gif way to petitionis of this kynd, till firft youre maieftie be trewlie informed of the nature and qualitie of the fame. So anent this particulair, the trewthe is, that in this laite vnfeafonable and tempeftuous winter, fome ftrangearis fchippis being brokin and caffin away vpoun the faidis blind craigis, fir George Bruce, oute of his honneft refpect to the credite of the cuntrey, maid a motioun vnto ws, for fetting vp of beacons vpoun the faidis blind craigis, and he vnder-tooke the doing thair of, vpoun a verie fmall dewtie to be payit be euerie ftrangeair fhip paffing vp the firthe for ane yeir; bot the gentlemen awnaris of the coilheuchis vpoun the revair of Forthe, whome this mater chieffie concernis, inrefpect no ftrangearis fhippis comis that way bot outhir for coill or falt, apprehending, with verie goode reffoun, that the payment of this dewtie wald carye with it a verie grite reproitche and fcandall to the cuntrey, as yf fuche a fmall peece of worke in the moft eminent river of the kingdome, could not be gottin done without the contributioun and help of ftrangearis, thay thairfoir haif vndertane, freelie and vpoun thair awne chargeis, to fett vp the faidis beacons, betuix and this approtcheing

Lambmes, fo that now thair is no neceffitie, that ony otheris falbe fett on worke that way; and yf the lyke of this occaſioun ſhall fall oute in ony other river of this kingdome, vpoun knowledge to be gevin thair of vnto ws, we ſhall tak fuche courſe and ordour thairanent, as ſhall beſt ſtand with the credite of the cuntrey and faultie of ſhippis arryveing in the faidis riveris. And fo, continewing oure eirniſt and vnceſſant prayeris vnto God for your maieſteis long, happie, and bliſſed reigne, we reſt

Youre Maieſties moſt humble and obedient  
ſubieſtis and ſeruitouris,

AL. CANCELL<sup>s</sup>.

A. MAR.

MELROS.

DUNBLANE.

R. COKBURNE.

J. COKBURNE.

Edinburgh, the fyft of Junij 1621.

To the King his moſt ſacred and  
excellent Maieſtie.

CCXXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene tua remiſſionis ſigned be youre maieſtie laitlie,  
prefented to be exped be ws, the one in fauouris of Sir James M'Donald,

and a number of his compliceis, for the slaughter of M<sup>c</sup>Clane, for breking of warde oute of the castell of Edinburgh, for surprising of the castell of Dunnyvaig, for fyre raising, and all otheris crymes committit be thame ; and the other in fauouris of M<sup>c</sup>Rannald, and certane his compliceis, for conveying of the said Sir James M<sup>c</sup>Donald oute of the castell of Edinburgh, for fyre raising at the castell of Dunnyvaig, slaughter of the constable thairof, and for all otheris crymes and offenses committit be thame : And althocht we acknowledge youre maiesteis royall power, and youre most gracious and clement dispositioun, to extend youre fauour and mercie to fuche of youre maiesties subiectis as hes offendit, yitt the truste whilk youre maiestie hes reposit of youre affairis in ws, oblisles ws in dewitie to present vnto youre maiesties consideratioun,oure humble opinionis concerning thir remissionis ; for in materis of this kynd, importing the quyet of the state, and concerning chiftanis of clannis in the Heighlandis and Ilis, who hes grite dependence, and ar followit be mony personis wickedlie and evil dispoisit, youre maiestie hes beene pleasit that goode furtie be fundin for youre maiesties peace, and for thair futur obedience to law and justice, in whilk pointe thair hes no fuche offer beene maid be thir personis. And howeuer we persuade oure felffis, that it is not youre maiesties meaneing that thay fall returne within this kingdome, yitt it is expedient, for preuenting of all occasionis that may fall oute, that thay fall find furtie for the peace, for thay and thair friendis, who now lurkis and ar quyet, and who, without doubt, will ryfe and joyne with thame, yf thay fal happin to returne, hes so far medlit with the lyves and bloode of numberis of youre maiesteis subiectis, that it may be certanelie expectit, mutuall revengeis wilbe huntit for on ather fyde, quhairupoun fuche difordour and confusioun will fall oute in the Ilis, as will require grite panes, chargeis, and expensses to pacifie the fame. The consideratioun quairof hes moued ws to continew the expeding of thir remissionis, till we vnderstand forder of youre maiesteis pleafour thairanent ; and we will humelie beseeke youre maiestie to vouchaif youre gracious acceptance and fauourable constructioun of this oure humble opinioun, quhairin we haif no other respect bot youre maiesteis obedience and the peace of the cuntrey. And so, praying the Almighty

God to protect youre royall perfone, and to blisse youre maiestie with  
mony lang and happie yeiris, we rest

Your Maiefties most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.

A. MAR.

MELROS.

GEORGE HAY.

W. OLIPHANT.

G. MURRAY.

KILSAYTH.

J. HAMILTON.

Edinburgh, 7 Junij 1621.

To the King his most sacred and  
excellent Maiestie.

CCXXXVII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

ACCORDING to the commandment of your maiesties letter, I wrote for the principall gentlemen of the earle of Homes name to come to this towne, to know by me, your maiesties pleasour in maters concerning the earle and his house; whervpon the lairds of Wedderburne, Aytoun, Blacader, Poluart, Manderston, Hutonhall, and Northberuik, came, to whome I related the finishing of the earles mariage, before they could be aduertised, proceeded of your maiesties earnest desire to haue it done (as a mater greatlie importing the young noblemans good) before the vicount Falkland sould go to Ireland, and therefore wished them not to mistake it, but think of it, as a mater procured by your maiestie for the parties good, of whom, and all his affaires, your maiestie intended to take a gra-

cious care. I shew also your maiesties expresse will that they shold keepe dutie to the earle, and be instruments of peace and loue betuix him and his ladie, which they all heartelie promised, resting satisfiied with what wes done, since it proceeded from your maiesties good pleafour, whose gracious respect to that ancient house wes notour to them all. They desired that, in other maters of importance concerning the earle, the countesse his mother might make her intentions and courses knowne to them, and heare and respect their faithfull aduice therin, which, if scho neglected, they could haue no contentment to mell in the busines. I promised to propone their desire and obteane their satisfiaction, and so dismissed them with contentment, ioyning with me in prayers to God for your maiesties long and happie life. I rest

Your Maiesties most humble, faithful, and bund  
subiect and seruant,

MELROS.

Edinburgh, 14 June [1621?]

To the Kings most sacred Maiestie.

CCXXXVIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

I HAVE been focht be the laird of Bas and his mother, to deale with them at this terme for some Lammermure rowmes of small avall, which he held of me, and hearing that others were of intention to haue blocked, for whom the rowmes were not so necessarie as for me, who haue no vther store rowmes for sheep to the vse of my house, when I dwell in the Byres, I accepted of their offer, and haue payed to them one and

tuentie thousand merkis. They haue yet reteaned vndisponed ane rowme halden of me, for which they are bound to pay yeerlie aucht chalders victuall, which is very neere the vtter availl of that land, albeit I offered to haue giuen them any small price it could haue beene tryed more worth nor the fewferme; but they giue owt that they will sell no more. In the meantime, I will assure yow, that one of their neereft and best freinds hes told me, that he perfittlie knowes, that if they sell als much land as may pay their debt, they will haue litle or nothing behind to themselves, and ere ane yeare be at ane end, they will either sell the most part of that estate, or it will be comprised from them. Therefore, if yee haue a mind to deale, prepaire moneyes so soone as ye can, for their necessities will force them to do that which in vaine they strue to eschew. I neede not to seek thankis from yow for forbearing to mell in their barganes, becaufe I am vnable for want of moneyes, but I will pray yow to beleue, that albeit I had more nor their valiant, I wald not giue them fyve shillings, if I knew that ye intended to bargain with them, except for the rowme of Grangemure halden of me, the price wherof will not exceed the worth of my fewfermes in two or thrie thousand merkis. If ye deale with them, the greatest difficultie will arrise from inhibitions serued aganis them, for some haue alreadie begun, and it is to be feared that their exemple may moue others to do the like. Whateuer ye fall with me to do for help of your intentions in this busines, vpon aduertisement fall be hairtelie be performed by

Your most affectionat and bund freind,

MELROS.

Edinburgh, 19 June [1621?]

To the right worshipfull John Murray of  
Lochmaben, one of his Maiesties  
Bedchamber, at Court.

## CCXXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene a petition vnto ws, in name of youre maiesties goode subiectis, the marcheantis of this kingdome, who tradis and traffiequis in France, propoting, that quhairas thay, for the better intertenying of thair trade in that kingdome, haueing ever beene in vse to haif thair factouris lyand at Pareis, Rowane, Deip, Newheavin, and Burdeaulx, and fuche otheris townis and pairtis in France, quhair the intercoure of thair commodityis wes most frequent and commoun, and that thir factouris haueing the charge and truste of thair whole goodis, and of the wairing and returning of the same, and of the paying and ressaueing of thair debtis, and some of thame, haueing thair whole stokkis lyand in thair factouris handis: That now, vpoun occasioun of thir troublis in France, quhairwith these of the religioun ar cheiflie threatned, thair faidis factouris doe not onlie vnderly the commoun danger and calamitie with the rest of thair religioun, bot with that the goodis of thir petitionaris, quhair of thair faidis factouris hes the charge and truste, ar lyke to be expoised to the discretioun of the merciles souldiour, quhairthrow, nomberis of youre maiesties goode subiectis wilbe ouerthrowne and wrakit, vnles your sacred maiestie, oute of youre accustomat princelie and tender regaird of thair distresses, prouide remeid. And thairfoir, thair humble petition vnto ws, wes, that we wald recommend thame vnto youre facred maiestie, and, on thair behalffis, be humble intercessoris vnto youre maiestie, that youre maiestie wald be gratiousslie pleasit to write in thair fauouris to the Franshe king; as youre maiestie hes alreddie done, in fauouris of the Inglish marcheantis and thair factouris; that thay and thair factouris may peceablie vse thair trade within the said kingdome; that thay may call for thair debtis be ordour of law, and that thay be not troublit in thair consciences, personis, or goodis, be vetew of ony edictis maid, or to be maid, for makeris of religioun, or ony thing



depending thairupoun; and that thair armour quhairof thay ar alreddie spoylled may be redelyuerit vnto thame. This being the effect and substance of thair petition, we humelic present the same to youre maiesties princelie consideration; and we will craue permissioun humelic to beseeke youre maiestie, to gif vnto thame some satisfactioun in this point, after suche a forme and maner as youre maiestie, in the excellencie of youre incomparable wisdome, shall holde fitting, by whilk doing, youre maiestie will prevent the appeiring ouerthrowe of a number of honest familieis, whose whole estate and stok is lyand in France, and thay wilbe stoirit vp, in a most christiane and holic dispositioun, to be so mutche the more feruent, according to thair bundin dewitie; to concur and continew with vs in thair vneffant prayeris vnto God for youre maiesties lang, blissed, and happie reigne. Frome Edinburgh, the xxi day of Junij 1621.

Your Maiesties most humble and obedient  
subiectis and seruitoris,

AL. CANCELLS.  
MELROS.  
LOTHIANE.  
CARNEGIE.  
KILSATYLL.

LAUDERDAILL.  
GEORGE HAY.  
W. OLIPHANT.  
R. COCKBURNE.

To the King his most sacred and  
excellent Maiestie.

CCXL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaue youre maiesteis lettre of the xxv of May last, by the quhilk, it appeiris youre maiestie hes tane some offens, becaus youre maiestie wes not acquentit be ws with the rebelloun of the Erle of Caithnes,

and with the difordouris of the cuntrie of Caithnes, quhillk, as youre maieftie is informed, is now become als barbarous as the moft remote pairtis of the Heighlandis or Ilis; and thairfoir it is youre maiefteis pleafour that we fall exped a commiffioun to Sir Robert Gordoun for perfute of the faid erle and taking of his houffe, and that we fall tak ordour that euerie landit man in the cuntrie of Caithnes, fall, anes or twyfe yeirlie, gif thair perfonall compeirance befoir ws, as the chiftaneis of the Ilis dois, to anfuer to fuche complaintis as fall be maid aganis thame: and laft, that the gift of the faid erle, his efcheate and lyverent, falbe difponit gratis to fuche a perfone, as the bifhop his commiffair and minifteris fall nominat, for thair vfe and behoofe. In quhilkis particularis, we will humelie crave youre maiefteis permiiffioun firft to cleir oure fellis of thefe pointis, quhairof youre maieftie feames to tak offens aganis ws, and then to prefent vnto youre maieftie oure opinioun concerning the other pointis of youre maiefteis lettre.

And firft, for not acquenting your maieftie with the erlis rebelloun, and with the difordouris of the cuntry, we haif not hard of ony publict or avowed rebelloun profest be him, whairupoun thair wes ony appeirance of trouble or vnquietnes lyke to follow. He is diuers tymes at the horne for ciuile cauffes, bot he hes had fuche a doing with his creditouris, of feeding thame with hoipis and expectatioun of payment, that thay haif beneene verie oft petitionaris and fuitaris vnto ws, for proteccionis and continewationis vnto him, and thay can not, nor will not, complene of want of iuftice, bot thay haif bene affistit with all fuche executioun, reall and perfonall, as is ordinair in ciuile hoirnings: and towcheing that criminall hoirning obiectat aganis him at the commiffaris instance, for the slaughter of his brother, thair wes litle or no intimationis maid thairof to ws, afoir the refett of this youre maiefties lettre. The pairtie hes had the lawis patent vnto him, and in the profequotion thairof, wes never denyit of ony thing, that the courfe of iuftice in fuche a caife wald allow.

And for the difordouris of the cuntrie, and astricting of the landit men thairof to thair perfonall compeirance yeirlie befoir the counfaill, we may confidentlie fay vnto your maieftie, that we haif hard als few complaintis or difordouris in that cuntrie as in ony other pairt of the incuntrie, for

your maiesties subiectis who tradis and traffiequis thair, hes the exercise of thair trade and handling, in als grite fredome and securitie thair, as ony quhair els; and the landit men of the cuntrie ar ciuile, peceable, and anfuerable gentilmen, levis vnder the obedience of your maiestie and your lawis, and followis thair actionis, quhen thay ony haif, be the ordinair course of iustice. Sua, that, in oure opinionis, (faulffing youre maiesteis more excellend iudgement, quhairunto we submitt oure selffis,) it is not expedient that thay who ar, and euer hes bene, in the rank and qualitie of anfuerable gentlemen, falbe tyed to the necessitie of personall compeirance yeirlie, or that thay falbe straitit with those conditionis, quhairwith the cheftanis of the ilis, quho euer hes bene difobedient and vnanfuerable, ar burdynnit.

And towcheing the commissioun commandit to be exped to Sir Robert Gordoun, we send for him, and impaired vnto him youre maiesteis directioun in that pointe. The gentilman feamed verie willing to vndirgo, quhatfomeuir burdynis or seruices your maiestie wald impoise vpoun him, and thairin to hafaird, not onlie his awne esteate and fortoun, bot the lyves and fortunis of his freindis and followaris: bot anent the executioun of the commissioun in that substantialious forme and maner, as wes requisite for youre maiesteis honnour, and his awne credite, he proponned some difficultis and doubtis, as namelie, yf the erle fould flee to ony houffes or strenthis, quhairof he hes three verie strong, in quhat forme and maner fould the houffes be persewit, feing thay wer not able to be recouerit without the cannoun; and quhen, as we wer reasouning vpoun this difficultie, after that Sir Robert wes remoued, thair fell oute another questioun at the Counsaill table, anent the trouble that might aryse, vpoun the executioun of this commissioun in the persone of the said Sir Robert, in respect of the mony eleiftis, discontentmentis, and jarris, standing betuix the houffes of Suthirland, Strathnaver, and Caithnes; and yf the pouer and forceis of Suthirland and Strathnaver fould come in Caithnes, vnder the charge of the said Sir Robert, who now, in the minoritie of the Erle of Suthirland, representis the head of that house, it is to be feared, that mony occasionis wald occur betwix thame and the cuntry people of

Caithnes, quhilkis wald procure grite difordour and trouble; and thairfoir it wes proponned, as ane expedient for eschewing of all fuche appeirand difordour and trouble, that the Lord Gordoun, who is ane neutrall and indifferent nobleman, and quhose autoritie and prefence wald do mutche in these cuntreys, fould be adioynit vnto Sir Robert in this commissioun: quhairanent Sir Robertis awne opinioun being craued, he verie hairtelie and willinglie imbraced the ouertour, promissing to joyne and concur with the Lord Gordoun with his haill pouer, freindship, and forceis in that seruice. And the mater being proponned to the Lord Gordoun, he verie wyslie, and with reffoun, anfuert, that he wald not intrust himself in youre maiesteis seruice, without your maiesties allowance and speciall directioun; promissing neuirtheles, to vndirgo quhatfomenir youre maiestie falbe pleasit to injoyne vnto him, in this or ony other thing els.

And towcheing the escheate and lyfrent of the said Erll of Caithnes, that is all quhairupoun his creditouris and cautionaris, who ar mony, and youre maiesteis goode and faithfull subiectis, hes buildit thair hoipis of payment, and without the quhilk, thair is no possibillitie of releiff or payment. Thay ar a nomber of honnest men, and some of thame hes thair whole esteate and fortonis in the erllis handis; and yf otheris, whose entres is litill or no thing, falbe preferrit to thame in this point, thay and thair familieis wilbe vndone. Thay advanceit thair moneyis quhen the erle wes ane free and laughfull subiect, thay haif not bene accessorie to his misdeidis, nor hes not offendit agane your maiesties lawis; and thairfoir we will humelie intreate your maiestie in thair fauour, that thay may be preferrit to the escheit and lyfrent, without the whilk thay ar vndone.

In the othis pointis anent the commissioun, and the personall compeirance of the landit men of Caithnes yeirle, we humelie beseeke your maiestie to accept in goode pairt oure opinionis thairanent, quhairin we ar free of all priuat respectis, and hes no thing befoir oure eyis bot your maiesties honnour, the peace of the cuntrey, and furtherance of your maiesteis seruice, and that youre maiestie wilbe pleasit to latt ws knowe your awne pleasour, bothe anent the adjoneing of the Lord Gordoun to this commissioun, and quhat course falbe followit oute aganis the said erle, yf

his houffes falbe kept, quhilk we looke not for. And fo, with our humble and eirnist prayeris vnto God for your lang and happie reigne, we rest

Youre Maiefties moft humble and obedient  
fubicctis and feruitouris,

AL. CANCELL.  
A. MAR.  
WINTOUN.  
WIGTOUN.  
MELROS.

LAUDERDAILL.  
ROXBURGHE.  
J. ERSKYNE.  
R. COKBURNE.

Edinburgh, 28 Junij 1621.

To the King his moft excellent and fared  
Maieftie.

CCXLI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

NECESSARE duetie commandis me to giue your maieftie aduertifement, of the proceeding of matters concerning your maiefties parlement of this your natiue kingdome, and my exercife therein refufing me leafure to doe it orderlie, forces me to beg your maiefties gracious pardon, rather to doe it in rude forme and ftile, nor, by curiofitie of thofe, to neglect any pointe of fubftance. The marquis of Hamilton, your maiefties commiffionare, came to Edinburgh vpon the 18th of this moneth, and met no fooner fome noblemen and barons vpon his way, but, after interchanged courtesies, he begane to require their affiftance in his charge of your maiefties fervice. The next day he conferred with the deane of Wincheſter and archbifhops of St Androis, of church matters and others, concerning

your royall directions in parlement, and then mett with some few of your most trusted officers and counsellors; and lest the rest of the counsell and nobilitie should suspect that conclusions wer made by a few number, and they neglected, he convened them all vpon Saturday, and by their advice, resolved vpon the time of sending the parlement day, of the riding of the estates, and course to be kepte for preventing contentions, trouble, or disorders. Vpon Sunday in the afternoone, and Monday, he continued his dealing with particulare men of evrie estate, and speciallie the noblemen, whose favour he pressed to conciliate be hartie conversation and feasting. But hearing vpon Monday afternoone, that a madd minister of Merton, called Simpson, had made a foolish and malicious sermon in the Grayfreir church of this towne, vpon Sunday in the afternoone, and that Maister Andro Duncane, sometime minister of Craill, and for fundrie contempts done to the bishops now deprived, had given to the Clarke of register a supplication to have beene presented to the parlement, impugning in effect the Articles of the Assemblie of Perth, whome two ministers, the archbishop of St Androis and I, caused be apprehended by the captane of the gaird, your maiesties commisionare did presentlie convene the counsell, where they wer accused, and, vpon notoriety of their offences, wer presentlie sent prisoners to the castle of Dumbarten; and vpon knowledge that the commisionares of the burrowes had assembled themselves for affaires concerning their estate, and that some nyne or ten ministers had importunely obtained entrie and audience of them, and exhorted them not to allow in parlement the Articles of Perth, offering to reade and deliuer to them their supplication and protestation, like to that other given by Mr Andro Duncan to the Clarke of register, your maiesties commisionare, by advice of the counsell, ordained a proclamation to be made, declaring, that vpon knowledge had of the feditious behauour of some ministers, who, to the scandal of their profession, having left their flockes and due charge, wer come to Edinburgh to stir sedition, and trouble the course, iustlie intendit by your maiesty for the good of the estate and church, therefore they wer all commanded to voyde the towne, and returne to their charge (excepte such as, verifieing to their ordinaires the lawfulness and necessity of their affaires, should obtaine their

licence to remayne), vnder the payne of horning and present imprisonment, whiche being published, hath fred the towne and estates of that tumultuous crew. Vpon the 25th, the estates being readie to ryde to the Parlement Houfe, Langton, ingyring himself to take possession of the office of iher to your maiestie, whiche nather he nor any of his predeceffours had inioyed in any living mans memorie, and being first requisted, and thereafter charged, difobying both, wes, for his contempt, sent to the castle of Edinburgh. Immediatlie thereafter, a contention arose betwene the lords Hay and Keith for their priuiledges in keiping and garding the Parlement Houfe, whiche being difficillie fetled, the estates raid to the towbuith, in greate number and good order. Being conuened, your maiesties commiſſion wes red, and then the archbifhophe of St Androis made ane excellent sermon of the honour and obedience due by subiects to princes, of tribute and custome to be payed to them, and exponed wittellie the word *reddite*, ascriving it to due and necessarie payment, and not to giving, adducing the exemple of Christs owne payment of tribute, and his mothers takeing him in his cradle to Jerusalem, where the whole Jewes wer, by the law of God, commanded yearlie to conuene and pay tribute. He alledged many exemples of the losse and ruine of kingdomes and estates for neglecting to contribute to supplie the warres of their princes, and most notablie the losse of Constantinople and the Impire of the Orient, applying all to the iustice and necessitie of your maiesties present desire, whiche he amplified by all convenient circumstances. Last, he brought handfomelie in, the purpose of the Church Articles, and, amongst other reafons, proponed the acknowledgement contained in the first Confession of Faith, made after the Reformation, ratified by act of parlement 1567, acknowledging that church discipline and rites, could not be perpetuallie vncheangeable, but wer, vpon good considerations, alterable, and so being indifferent, and the articles now introduced being lawfull and expedient, needed no other warrant but the iudgement of oure king, so religious, wise, learned, and iust, as the world had not seene his equall. After him, spake youre maiesties commiſſionar, of the charge imposed by youre maiestie vpon him, his sence of his own insufficiencie, and necessitie of his obedience, regrateing that he could not



wourthelie relate your royall directions, with such grace as might proue aunfwerable to the expreffion of your love of this people, whiche was the only reafon of his imployment. That the parlement wes indicted at the earneft requifte of the nobilitie and counfell, the iuft caufes of your maiefties defire of fupplie notour to the world, not for any ambition vpon your part to encrease the power of your fone in law or his children with other mens eftates; that warre being begune by the people of Bohem, impatient of the heaue yoke impofed vpon their perfones and confeiences, and their fubtile and instant introductions of your maiefties fonne in law to vndertake their protection, more rafhelie nor your maieftie either knew, or, after knowledge, allowed; but the progreffe of the vfuall accidents of warre having broght vpon him difadvantages and loffes, whiche, not being remedied, wold tend to his eternall ruine and difherifing of your grandchildren, your maieftie wes forced to contribute greate fowmes for his defence, and of intention to menteane a continowell warre, but to avert his vtter overthrow, till, by your royall care and wifdome, yee might, by mediation and treaty, procure peace and reftitution of his patrinomie, wherein the charges of your ambaffadouris, ordinarie and extraordinarie, fent to the moft part of the princes and eftates of Chriftendome, wer fo greate as could not be duellie confidered by fuch as wer not priue to matters of fuch confequence, not communicable to the vulgar forte, and whill, as your maieftie wes in good hope of fetling that greate warre, yee wer draune vnder new troubles and charges by the warres of the Voltalin, France, and the Low Cuntries, whereof no fetling could be expected but by your maieftie, whom God had indewed with fo extraordinar wifdome, graces, and authoritie, that the Chriftien world acknowledged yow alone for arbiter of their controverfies; that the manifelt danger of religion in all the parts of Chriftendome did more neirlie touch your religious haire nor the intereft of your children, feing the world knew that in the matching of your doghter (matchleffe for vertue), your maieftie, vpon confideration of the frailetie of mans life, albeit that your deare fonne then promifed that whiche God hath fince performed in him, by ftrenth of bodie, happines of health, and accomplifement of all princelie vertues, yet defiring, that yf God should appoynte him to die without iffue of his bodie (whiche



God defend), the world might ſie that your maieſtie did not ſo much affect the honour of more eminent, powerfull, and wealthie alliance, by hir with papifts, who, not ſeeking money with her, wald, as it wer, haue brybed your maieſtie, with infinite treaſor, to haue granted to them the honour of your royall alliance, yee, out of meere zeale to religion, had, as it wer, entailed your poſteritie to the proteccion of religion by hir marriage with aue excellent prince of our profeſſion. Therafter he expreſſed the zeale and forwardnes of oure neighbour cuntrie at full, and ſpeciallie of the Londoners, who had forbiddin feaſting, when your maieſties grand-children wold haue beene compelled to faſte, yf your naturell and religious bountie had not royallie furniſhed them all princelie charges, and therefore exhorted the eſtates, to increaſe the quantitie of their wointed contributions, according to the importance of the preſent eſtate of affaires, rather to ſtir vp oure neighbours by expreſſion of their affection, nor the value of the ſumme, aſſuring them, in your maieſties name, that yf they ſhould at this tyme behaue themſelues thankfullie and wourthelie, your maieſtie meant not hereafter to trouble them with furniſhing more monyes. Laſt, he recommendit the affaires of the churche, and that they would therein remember the bypaſt proofes of your excellent knowledge, greate care and trauells for menteaning and promouing religion; the publiſt testimonies of your admired workes, revered by the learnedeſt of the world, the malice of the aduerſares preaſſing to procure your death (whiche God auert), as the heigheſt of their hopes and deſires, for preuailing againſt all the profeſſours of the truth. He roughlie inueyed againſt thoſe, who treaſonable ſclandered your maieſtie with intention to introduce all Engliſhe ceremonies, but ſpeciallie againſt thoſe, who ſpoke of papiftrie or libertie of conſcience, aſſuring them, that yf they wold abey and confirme the actes already made, your maieſtie wald neuer intend any future alteration. He enlarged thir grounds in ſo good termes, as all the eſtates acknowledged, how well he had profitted vnder the hands of the beſt maiſter in the world. The publiſt ſpeeches wer concluded by my Lord Chauncellar, whoſe deſcription of the dignitie of a parlement, and honor of the particulare eſtates and members therof, in ſo heigh ſtile and learned

subſtance, as did exceede the capacitie of many of the vulgar auditors : he cloſed with a pithie exhortation for the contribution and churche affaires. Therafter the Lordis of Articles wer choſen with ſuch dextérité, that no man wes elected (one onlie excepted), but thoſe who, by a priuat rolle, wer ſeleſted as beſt affected to your maieſties ſervice. A propoſition wes made, conteaning a noveltie annent meiting of all the nobilitie, after the articles wer concluded, to ſitt and conſider of them before they wer ratified by publiſt parlement, whiche wes ſo dexterouſlie vſed, as I hope no harme ſhall enſue. I had almoſt forgottin that your maieſtie having juſtly blamed my errours in the firſt draught I ſent of a letter to haue beene ſent by your maieſtie to the eſtates, and being pleaſed to declare that yee wald cauſe reforme it and ſend it downe, when I perceiued that it had not beene remimbred, and that tyme wold not permitte to ſtay till it might be required and had, I rather tooke boldnes to aduenter to preſent that whairof I ſend herewith the copie, authoriſed by warrant entruſted by your maieſtie to your commiſſionare, nor that the parlement ſhould either deſerte or delay too long. Yf it pleaſe God to make me ſo happie as that my coniectural ſtile be no more offensive to your maieſtie nor it wes to the eſtates, and that your maieſtie may be pleaſed to ſend me an warrant in wret, pardoning that whiche I wes forced to aduenter for the good of your ſervice, I ſhall humbly thank his heauenly Maieſtie, and alwiſe beſeeche him to graunt your maieſtie all the bliſſings that your royall hart, and the hartie affectiones of your faithfull people beg to yow at his bountifull hands, and reſt

Your Maieſties humbleſt and moſt obliged  
of all your faithfull ſeruants,

MELROS

Edinburgh, 26 July 1621.

To the Kingis moſt ſacred Maieſtie.

## CCXLII.—KING JAMES VI. TO THE PARLIAMENT OF SCOTLAND

RIGHT reuerend fathers in God, right trustie and welbeloued cofens and counsellours, right trustie and welbeloued cofens, and remanent our officers of estate, and commissioners for the small barones and borrowes of that our kingdome, conueened in our parlement thereof, We greet yow heartelie well. Albeit our incessant care to procure and menteane the peace of Christendome, moued ws long to forbear to giue assistance to oure sone in law for defence of the Palitinat, his natie patrimoine, and birthright of our grand children, till the vnbridled violence and obstinat malice of the uniuert inuaders, and the bands imposed vpon ws by God and nature, hes at last forced ws, for safetie of religion, keeping faith and dutie to our confederates, and confirming our fame and reputation vnspotted in the opinion of all vnpartiall nations, to resolue to secure, by iust armes, that, which no freindlie entreatie or reason could effect. Yet when we began to meditat of the prouisions requisit for that royall interprise, we considered that the meanes and wealth of that our natie and euer beloued kingdome, ar als far inferiour to the store of other cuntries as their royall affections to ws, and our most royall progenitours, hes equaled, if not exceeded, the zeale of any nation of the Christian world, famous for heartie loue and obedience to their naturall princes, and therefore we abstained to require aide of any of yow to that chargeable dissein, till first we had essayed our good subiects of this kingdome, and, by tryall, found the alacritie of their affection and liberalitie beyond our hopes and motions, wherby we wer thereafter induced to write to our nobilitie and counsell there, to let ws know, what voluntar supplie might be expected from them, not so much for the importance of the fowme, as to manifeste to all our people that we meant not to furcharge any one nation or estate, and to grant vnequall immunitie to others, but to approue youre zeale to your fellow subiects, according to your power. But

finding since, by the answers returned from our nobilitie and counsell, by their letters and humble message, that the course of contribution would be a hinderance to a better and more vniuerfall pourpose of generall taxation, the reasons proposed by them, and assurances giuen by their letters, that they would do about the vttermost of their powers for encouraging the other estates, by their examples and reasons, to do the like, without exemption or immunitie to any, at this more nor necessarie occasion, hes so well pleased ws as we haue yeelded to their desire of a parlement; and for that effect having assembled yow all, we are to informe yow, that no care, trauell, expence, diligence, or other meane of lawfull treatie, wes omitted by ws for pacifying the querrell of the Palatinat, wherin the effects not answering our laborious endeouours, and equitable intentions, the conioyned interest of religion, state, and dutie, hes constrained ws to embrace our sonne in lawes protection, with the approbation of all iust, wise, and indifferent princes and estates in Europe, who acknowledge, vpon our part, *bellum iustum esse quia necessarium*: And vnles we shoulde appeir deficient in our duties to God, religion, nature, and to our owne bouelles and faithfull confederates, we can no longer forbear to interprize the recouerie of the patrimonie of our grandchildren, vniustlie vsurped by their ravenous and merciles enemies, which can not be prosecuted without moneyes, the true sinewes of warre, nor can sufficient store of moneyes be had for menteaning that monster of warre (which keepes no dyet, but is both at first framed, and without intermission must still be fed and susteined by the bellie), without the liberall subuention of our subiects, louers of their king, cuntrie, and religion. Pouertie hes euer been reproched to that our kingdome, but well refuted, that is, *vitium soli non gentis*; and we know that the soile hes not in our aige furnished fewar meanes of trade and inbringing moneyes, nor this and the immediatlie preceeding yeir, which will disproportion your abilitie from your wishes and good wils. But when we fall remember how God hes made ws his immediat instrument to secure your liues and estates, from the personall butcheris vsuall in your deadlie feedes, the thiftes, spulyies, reises, fyre raifings, blak males, ranfomes, and all fortes of other extortions and oppreffions, committed or exacted by the Hielandmen,

Bordourars, and others petie tyrants, besides the exorbitant charges for menteaning your hereditarie and almost immortal querrells, your immunitie from your vsuall vexations, and rondes for settling the Bordours, Hiellands, and Isles, and for conferuing peace with your nighbour kingdome, and establisshing vniuerfall peace and iustice, at our exorbitant charges, we ar assured ye will now, at this necessarie and extraordinarie occasion, schow your thankfulnesse, and retribute a competent proportion of that whole, which in effect ye haue receiued of ws, and which, since our accepting the gouernement on our owne person, ye would haue esteemed to haue been profitable conquisht at the price of the greatest part of your whole vaillant. Neither do we think that ye haue forgotten, that, efter a sort of commendable ambition, ye preassd to haue our dearest doghter styled the doghter of Scotland when seho wes maried; and if ye weigh things rightlie, we and ye owe infinit thanks to God, who by that worthie doghter hes granted to ws six children, who by the like reason may be challenged to be the grand children of Scotland, four of them being sonnes, and two doghters, so hopefull, as no royall familie in Europe hes participat the like blessing by so young parentis, whereby it hes pleased God more stronglie to vnderprop our sceptor, nor that of our forebears, in many bypast ages, besides the expectation of the continuance and encrease of that high fauour, if with humble and heartie thanks we fall wourthelie acknowledge how much we haue already receiued. These, and manie other necessarie pourpofes, we intended to haue more amplie intimated to yow, by our owne mouth, your faithfull obedience and respect to ws, and your ciuile and kynd vsage of the noblemen and all other subiects of this kingdome, of whatfoeuer qualitie, who did attend ws in our last journey to Scotland, having produced effects of so great contentment to ws, and, by their report, to all this nation, as our fauour to yow wes thereby confirmed and (if it could haue receiued addition) encreased, and since that time hes fostered in our heart an earnest desire, without regaird to our panes in that long progresse, to haue seen yow this sommer. But the bands of wonted peace ar so fearfullie schaken in Christendome, and our interest in the affaires of the Palatinat, so important and pressing, that without hinderance of maters of hieft moment, we can not withdraw our presence

from this place, of best opportunitie for all suddane occasions, and speedie resolutions and directions; but we intend to remedie that by our resort thether next fommer, God willing; and in the meantime, expect vndoubtedly, that ye will let the worlde see, that our absence from your meeting is no lat to your straining your felis to your vttermoſt abilitie, for readie help of this godlie and good cause of the Palatinat, and that ye will consider that your contribution for it, can not be mesured by the reule or rate of preceeding taxations, granted neither for respects of magnificence, and schew in solemnities of mariages, baptimes, negociations, or payment of cuntrie debtes, nor for any such inevitable necessitie as the estate of warre, of religion, and recouerie of the patrimonie of our grand children, does now impose vpon yow and ws; but that, according to the condicion of the time and action, ye will liberallie and readelie extend your best helpis without protraction, which, by lingering, might exceedingly disappoint the effects of your good intentions, and our most important proiects. We meane not to imploy any part of your beneuolence to any other vse; bot knowing that great numbers of our subiects there, als abundantlie endowed with zeale and courage as they ar destitute of wealth, affecte, by their personall seruice, to redresse their want of meanes for large contribution, we resolve to bestow that which ye furnish, with much more of our owne, for leueing forces in that kingdome, to serue in this good caus. All other maters concerning ws, or the good of our subiects of that our kingdome, will, by our direction, be imparted to yow be our commissioner, and by our chancelar, and other officers having our warrand to that effect, who will also, in our name, consent to any good ouerture which shall be proponed for the publik benefite of that state, to which, and euerie one of yow, our faithfull and obedient subiects, we wish, and, with our wonted care, shall studie to purchase all happinesse.\*

[26 July 1621?]

To the right reuerend fathers in God,  
and to our trustie and welbeloued

\* This letter, which appears to be the original draught, is holograph of the Earl of Melros.

cofens and confellours, and others,  
our right trustie and welbeloued  
cofens, and remanent our officers  
of estate and commissioners for the  
small barones and borrowes of our  
kingdome of Scotland, conveened  
in our parlement therof.

## CCXLIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

WEARINES, and some pane in my eye, forced me to vse my  
brothers hand in the letters I wrote yesterday, of that had then past in  
maters concerning the parlement. Therefter, the Lords of Articles met,  
and after reading your maiesties letter to the parlement, and the other  
two which the conuention of the nobilitie and counsell sent this winter to  
your maiestie; the taxation wes motioned by your commiissioner, with so  
ample and iudicious expresseion of your maiesties infinit charges, furnished  
to the enterteanement of the forces of the princes of the Vnion, verie long,  
and of the armie commanded by Generall Vere, beside your nauie at  
sea, and the charges of your children and grand childrens mentenance,  
which enforced vndenyable necessitie of supplie; they had onlie reason  
to consider what difference wes in the causes and nature of this present  
aetion (the event wherof may, in worldlie appeirance, import the preferua-  
tion or ouerthrow of religion in all Europe, and the vphold or perpetuall  
ruine of that most auncient, famous, and princelie estate of the Palatinat),  
and these of former times. This proposition, strengthened by many rea-  
sons pertinentlie alledged by the Lord Chancelar, Mar, and others,  
faithfullie disposed to the good of the pourpofe, efter long and modest  
reasoning, produced ane vniforme resolution, that a taxation behoued  
to be granted. The nixt question being of the quantitie, my lord of  
Santandrois alledged a precedent of King Dauids ransom, amounting



to thrie hundreth thousand merkis, or, as others write, an hundreth thousand merkis, as likwayes of the fowmes payed for King James the First his redemption, which, considered according to the scarcetie of moneyis in that aige, and abundance therof in all the world at this time, might informe ws how great a fowme wes now requisit, for the reasons proponed by my Lord Commiffioner. Then my Lord of Scones opinion being demanded, he roundlie told, that he had his honor, estate, and whole fortunes of your maiestie, and would bestow them and his life in your maiesties seruice, thinking ten hundreth thousand merkis a competent fowme, wherof he would readelie pay his part, and what farder your maiestie pleased to command. That summe being thought exorbitant, I answered, that my lord of Santandrois true exemples imported much more; becaufe an hundreth thousand merkis, in King Dauids dayes, wes an hundreth thousand merkis weght of filuer, wherof euerie merk weght being eight vnces of filuer, would amount, at thrie pund the vnce, as it now giues, to foure and tuentie hundreth thousand pundis. In end, it wes concluded, that where the greatest taxation that euer wes before wes four hundreth thousand merkis, payed in foure yeeres, there fould now be giuen foure hundreth thousand pundis, in thrie yeeres; for it is appoynted to be payed at foure Mertimes termes, wherof the first will be Mertimes next, and so be compleit at that time thrie yeeres. The lords thought it more fit that the act fould be conceiued in thir termes, that the pound land holden of your maiestie fould pay threttie schillings yeerlie, and the kirk landis, and teinds, and bourrowes, the like proportion; which, in effect, is four hundreth thousand pundis, nor that the expresseion of the summe fould informe the world of the finalnesse of our meanes, when they ar racked to extremitie.

The next article wes anent the taxation of anvelrents, wherin the noueltie bred difficultie, and the interest the commiffioners of burrowes, and others, strictt opposition. But becaufe I knew much of their estate, and of the nature of that course which my self, amongs others, haue long exercisid with benefit, I preassid to detectt the secret of their pretextes; and after great altercation, reither then reasoning, it wes concluded that



all anvelrents fould pay taxt, without immunitie of any estate or perfon. The meanes of tryel, quantitie, and termes of payment, reft to be confidered. The good fuccesse of what hes past, makes us to hope for the like in that which reftis concerning the Churche Articles. I pray God I may haue speedie occafion to fend your maieftie contented aduertifment therof, and that he may be pleased to bleffe and long preferue your facred perfon, and prosper your affaires. I reft

Your Maiefties most humble, faithfull, and bund  
feruant and subiect,

MELROS.

Edinburgh, 27 July [1621?]

To the Kings most facred Maieftie.

CCXLIV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

MY letters of the 26 and 27 of July, haue informed your maieftie of things done at that time in parlement. Therefter the Church Articles wer allowed by the Lords of Articles with good vniiformitie. Since that time, ther hes not arrifin any great controuerfie in the houle for maters of moment; the articles proponed, either being found profitable for the cuntrie, or, if they concerned particular parties, they wer lauffullie concluded, efter hearing of the parties intereffed. Onelie the taxation of the anvelrents hes been much impugned by the burgefis and fome fmall barons, vpon pretexte of the harme which they may fuffer in their credit, if their debtis fall be vnneceffarie difcouered, who haue been anfuered with cleer

and juſt reaſons ; but they ſtill perſiſt in their oppoſition, albeit with more modeſtie then others, who not being of the articles, and having craued permiſſion to conveen, to prepare motions to be proponed to the articles, haue converted the fauour obtained vpon that ſpecious pretexte, to a meeting of noblemen and barons, who ar reported to haue dealt ſo paſſionatlíe aganis the confirmation of the church articles, and the taxation of anvelrents, that your maieſties commiſſioner wes forced to diſcharge the abuſed libertie of their aſſembling, and, ſince that time, hes been forced to take ſo continuall trauell to diſſolue their combination, and, by the aſſiſtance of all his freinds dulie affected to your maieſties ſeruiſe, to conuert them to their dutie, as hes permitted ſmall time of reſt or ſleep to him. He inclyned to haue cauſed puniſh ſome of the moſt awoeddlíe malicious ; but the errour being almoſt popular, he wes counſelled to forbear offeſiue rigour, and to ſtudie to calme and reclame them by more mylde meanes, and is in hope to preuaile ſo with a number of them, that they ſhall either ſtay and concur in your maieſties ſeruiſe, or abſente them ſelues, and ſo do no harme. The reſt who ſhall be found irrecouera- blíe malicious, will be made knowne to your maieſtie, who may and can beſt judge of their merite. I can promiſe no farther as yet, bot good hope, with aſſurance of more paynes, patience, and wiſdome in your maieſties commiſſioner, faithfullie aſſiſted by ſome of your maieſties ſeruants, nor could haue been beleueed. God, who hes euer directed your maieſties juſte intentions to wiſhed end, will overcome the malice of this oppoſition, to your maieſties contentment, which I pray his heavenlie Maieſtie long to grant in all your royall affaires, and reſt

Your Maieſties moſt humble and bund ſeruant,

MELROS.

Edinburgh, 2 Auguſt [1621 ?]

To the Kingis moſt ſacred Maieſtie.

## CCXLV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING wretin my other letter vpon the fecond of August in the morning, this is to rander your maiestie accompt of what is fenfyne done in Articles. That day your commissioner, at fyue a clok in the morning, began his consultation with the Archbischop of Santandrois, Lord Carnegie, Clerk of Register, Deane of Winchester, and me, by what freinds meanes he might either reconquer the opposites who had vote in parlement, or persuaue or compell them by lawfull order to be absent; and according to our joynt opinions, put all his freinds to work where their credit might best preuaile, and then entred to the articles at ten a clok, and remaining till eight at night, dispatched fo manie affaires, iust of themselfes, and gracious to the people, as serued for powerfull inducements to diuers of each estate to fauour his desires for your maiesties feruice. We ar in good hope to obteane the Church Articles ratified with the ordinar taxation. Our greatest dowl is of the taxation of anvelrents, which manie abhorre as a noueltie, and a discouerie of their miserie, and ouerthrow of their credit. For preuenting of which disturbance, vpon the fecond at night, a meeting of the articles wes appointed to be vpon the thrid, at seuin in the morning, to confider of the best expedient, inclyn- ing reither to dispenfe with the extremitie, that thereby we may obteane a preparatiue of ane aide, wanting all preceeding exmple, and a diuerfion of opposition to the Church Articles (which we thinke more important nor the ods of a trifle of that subfidie), nor by insifting vpon a verie finall difference in a money mater, to trouble or ouerthrow a better busines. What fall be resolued fall be speedelie subioyned to thir lynes.

Since the wrying of what preceeds, the Lords of Articles haue this morning met and peaceable concluded. Extreame diligence will be vsed to set all men right. The event must be remitted to God, in whoes af-

fiſtance we confide, and beſeech him to bleſſe this buſineſs, and all your royall deſires, and reſt

Your Maieſties moſt humble, faithfull, and obedient  
ſubieſt and ſeruant,

MELROS.

Edinburgh, 3 Auguſt 1621.

Your Maieſties commiſſioner expects that his diligence in well doing will excuſe his not wryting, which is alwayes naturell to him, and now neceſſary.

CCXLVI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maieſties parlement of this your kingdome is this eſternone happelie concluded. The church actes had oppoſition, but the well affected prevailed by ſevin and tuentie votes, albeit we wer exceedingly diſapoynted by the treacherie of ſome ſmall borrowes, who violated their promiſes, and wer recompensed by your Commiſſioners reſuſing to authoriſe their actes and ratifications. In the act of the taxation, at firſt they kythed ſome danger by the voices of lords who granted the ordinar taxation, and reſuſed the taxation of anvelrents; but my Lord Commiſſioner preaſſing them to giue anſuer directlie, that they either granted or reſuſed the act of taxation, ſince it wes onlie one act, the reſt became eſchamed to reſuſe, ſo as the oppoſites to that act wer ſcarce ten, as the Clerk of Regiſters incloſed ticket will teſtifie. Other lawes and privat actes paſt withowt contradicſtion. The concluſion wes by a ſpeech of your maieſties Commiſſioner, renewing the aſſurances of your maieſties conſtant fauour

to this nation, your zeale to the defense of pure religion, your earnest desire to releue your people of the burdings, to protect them from violence, to introduce all examples and effects of pietie and iustice amongs them, to increasse trade and commerce, and to exempt them from the greif of the panes of bypast transgressions of statutes imposing pecuniall panes. Which, being a most acceptable fairewell to the whole estates, wes met with the heartie wishes of all the people for your maiesties long and prosperous lyfe. I must not forget the Commissioners scharp censure of such as had abused the toleration of privat meetings of the estates, with aduertisment that the like would not heerefter be suffered. The particular accompt will be more amplie giuen by larger letters, and by the Deane of Winchester and Lord of Scone, who, so soone as the articles for the church and taxation wer ended, they went to their horse, and will relate all particulars, and euerie mans behauiour. I may trulie affirme theirs to haue been exceeding faithfull and fordwart, and that your maiesties Commiſſioner, by his obseruing your excellent instructions, hes effected the wishes of your faithfull seruants, and ouercome the busie malice and subtiltie of the aduersars; which I must ascryue to the happines of your royall courtes, so well grounded vpon wisdom and iustice, as they can not want succeſſe. I haue thought it would be more agreeable to your maiestie to know this trueth abruptlie, nor ane more exact report more slowlie; and praying for the like prosperitie in all your royall affaires, I rest

Your Maiesties most humble and most obedient  
subiect and seruand,

MELROS.

Edinburgh, 4 August 1621.

To the Kings most sacred Maieſtie.

## CCXLVII.—EARL OF MELROS TO JAMES DOUGLAS.

LOVING FREIND,

I RECEIVED your packet of the second, and deliuered his maief-  
ties letters speedelie. I can not discerne wheter the Marquis of Hamilton  
be more carefull and diligent in action, or slow in wryting to his maiestie:  
for as I know that he hes caused feek the Lord Vchiltrie in this towne,  
and missing him, fend for him to Salton in great haste, and in the mean-  
time spak with the Lord Chancelar, Clerk of Register, and Aduocat,  
anent the commission directed by his maiestie, to be formed for tryall of  
his informations, and commanded the custumars to be readie to be ex-  
amined at the Lord Ochiltres cuming heir, and lykwayes found, by ex-  
amination of Sir Patrik Murray, that his father had made no conveyance  
of anie of his lands. So I suspect, that he may fo neglect to write of thir  
things to his maiestie, that the perfite report fall, by his slewth of wryting,  
be delayed till his owne going to court.

The Chancelar caused reade his maiesties letter to the Counfell, anent  
the Earle of Cathnes, and called before them Robert Monro, who insists  
in the perfute for his brother Lindfayes slaughter, with whoes consent,  
Maister Thomas Hope, who deales for the Earle of Cathnes, was called,  
and to him was intimated, that vnles the Earle fould find sufficient cau-  
tion, for his compeirance before the 18 of September next, the commission  
fould be directed with all rigour; but if he found caution, he fould haue  
protection for all other causes, ciuill and criminall, whill he had abiddin  
his tryall of that slaughter. For John Auchmouties complanit, Maister  
William Chalmers, his freind and agent, was called before the Counfel,  
to haue giuen information to the Aduocat, who, excusing him self, and  
desiring that it might be requyred of Maister Auchmouties ladie, he wes

commanded to receiue his information, and giue it to his Maiesties Ad-uocat, that letters might be raifed to the next meeting of the Counfell, which is appointed the 29 of this moneth.

John Stewart hes requeasted me to pray yow to caufe signifie to his maiestie, that he is agried with the Countesse, of him wheirin he hes choifin reither to take loffe, nor to be vnneceffarlie troublefome to his maiestie. If it fall please God, that the continowance of that happie quyetnes, which we inioy by his gracious gouernement, fall deny ws fubiect of wryting this vacanee, I hope my vnfrequent wryting, or not wryting at all, fall be excused. The commiffion aganis Alane Makildowie is exped to the Lord Gordon. So, wifhing yow all happines, I rest

Your affured freind,

MELROS.

Edinburgh, 8 August 1621.

To my verie affured freind James  
Douglas, attending his Maiestie  
for difpatche of Scottis Affaires.

CCXLVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

IN the roll of the iusticeis of peace of the shirefdome of Selkirk, laitlie fend vp to youre maiestie, youre maiestie hes bene pleast to designne and point out the Goodeman of Harden, to be schireff of that schirefdome for the yeir to come; and he being writtin for to compeir

and accept the office vpoun him, he, inrespēct of his aige, infirmitie, and seiknes, compeirit be his eldest sone, who excusit his fader as being alto-gidder vnmeete and vnhable for that charge; first, be resoun of his aige and seiknes, he being past lxxij yeires of aige; nixt, becaus he can nouthir write nor reid; and last, becaufe he is not a resident within that sberisdome, bot hes his residence and duelling in Teviotdaill. Thir being ressonis sufficient to exeme him frome that charge, we haif heirwith send vp vnto youre maiestie, the roll of the iusticeis of peace of the said schirefdome, to the effect youre maiestie may mak choise of some other personne to be schireff.

Thair wes a petitioun this day exhibite vnto youre maiesteis Counsaill, in name of Maister Alexander Simfoun and Maister Andro Duncane, ministeris, who, the tyme of the laite parliament, wer send prissonaris to the castell of Dunbartane, excuseing thame selffis anent the caufs quhairfoir thay wer committit, and humelie craving thair libertie, inrespēct of thair pouirtie and want of meanes to interteny thame selffis. And althocht thay ar knowne to be bot poore men, yitt the Counsaill wald nowayes medle with thair libertie without youre maiesteis directioun and allowance. And quhenueir your maiestie salbe pleased to gif significatioun of your will and pleasour towards thame, ordour salbe tane with thame accordinglie. And so, praying the Almighty God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
W. OLIPHANT.

Edinburgh, 29 August 1621.

To the King his most sacred and  
excellent Maiestie.



## CCXLIX.—EARL OF MELROS TO JOHN MURRAY.

SIR,

THE notoriety of your kind respect to such requests as I have formerly made to you, makes my friends, who have to do instant with me, to recommend them to you, and my duty to them, permits me not to refuse it. I can not intercede for a kinder man nor the bearer hereof, my cousin, Sir John Scot, whose lawful affairs I will pray you to assist, and will assure you, ye can not oblige a more thankful man. So, wishing you all happiness, I rest

Your ever obedient friend,

MELROS.

Edinburgh, 3 October [1621 ?]

To the right worshipful John  
Murray of Lochmaben, one of  
his Majesties Bedchamber, at  
Court.

## CCL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

THAIR was a petition exhibite this day to your majesties counsaill, in the name of Maister Robert Bruce, minister, humble craueing releif from his present ward, for the reasons specified in his petition; quhilkis, in effect, ar the same that he deliuerit be way of answer the last

day, quhen he wes broght befor the counfell, and wardit for tranſcending the limites of his conſyneing. And becaus the mater for quhilk he is wardit concernis youre maieſteis ſelf, as ane offence and contempt done be him in breking of his warde without a warrand, the counſaill wald no-way medle with his enlargement and releif, without youre maieſteis direction and allowance, bot hes heirwith fend vp his petition vnto your maieſtie, that, after conſideratioun thair of, youre maieſtie may gif ſuche direction thairanent as youre maieſtie ſhall think goode; and vpoun the returne of your maieſteis will and pleaſure towards him, ourdour ſhalbe tane accordingly. And ſo, praying the Almighty God to bliſſe youre maieſtie with many lang and happie yeiris, we reſt

Your Maieſteis moſt humble and obedyent  
ſubiectis and ſeruitouris,

AL. CANCELL<sup>r</sup>.

MELROS.

W. OLIPHANT.

Edinburgh, 10 October 1621.

To the King his moſt ſacred and  
excellent Maieſtie.

CCLI.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

SINCE my wryting to yow vpon the 19, I haue receiued yours of the 15 and 22 of this moneth. For anſwer to both, pleaſe yow know that the counfell hes tryed the mater betwix Robert Makbrare and John Corſan, and found that a tumult being begun wher John Corſane wes, in gret paſſion; Robert hearing the fray, returned to pacifie it, bot that in an

throng, vpon suddantie and mistaking the harme, wes done to the parties on all fydes, which, praised be God, is not great. It appeares that some offensiue wourds, vttered not long before, had bred some vnkyndnes amongs them; and John Corfan hes bene found not to haue proceeded so dewtifulle in his office as became him, and, partlie for that respect, and partlie for Roberts satisfiaction, he is committed to warde, bot will not be long deteaned. Treulie he hes not borne that respect to Robert which became him. It kythes that the towne of Drumfreis cairies their olde respect to the name of Maxuell, and that they affect the towne, and will be readie to protect them.

Before I receiued yours of the 22, I had one from my Lord Maxuell, declairing, in few wourds, that he meaned not to quyte to yow the lands in question; and, hauing referred credit to his bearer, he declared, that if your owine money, giuen for these lands, might be accepted, that their might be hope of appoyntment, with excuse of his refusing to refer the mater to me.

Where yee desire to know what speeches passed betuix the Lord Maxuell and me in that mater, I remember not of anie particular, bot what I wrait to yow, from tyme to tyme, nor of anie conference with anie other theranent, except with my Lord Sanquhar and Maister Thomas Hope; bot suspect that the Lord Maxuell hes lyked the worfe of my melling, because I did not approue the long delayes of produccion of his writtis, which he pretended he could not find, and that he had no hope, vnles he recouered them fra the Erle of Dumbars doghter, or Sir George Home, who wer found, in end, to haue few that could ferue him, so far as I could learne, and wrait to yow; and when I told that the manie delayes wald force yow to perfew for improbation of his writtis, he said he wald not offend at it, bot wold vse all the defences law could affourd. He wrytes to me, that I know how he hes bene vfed in that mater; bot if I wer sworne in it, I could not say bot yee had both foght him, and abiddin his laiser verie freindlie, and that your self wes disposed, and your freinds aduyfed yow, to do all that yee could to agrie the controuerfie, reither by mediation of freinds, if it could be, nor otherwayes; bot I beleue that he meanes that the lands being taken vpon forfaitour by the Erle of Dumbar, that

he could not have bought them. This is onlie my coniecture, because I can not conceiue what other complaint he hes of your vfage. I know yee will not alter your intention to do reafon in the bufines, if he be difpofed to accept it; and fo wifhes all your freinds. Maifter Thomas Hopes opinion in that mater is fullerie fignified to yow by his owne letter.

My Lord Sanquhar wrait to me of his bufines, which yee recommend. I fall do in it what I can in reafon; and fo, with my beft wifhes for hap-pines in all your affaires, I reft

Your moft affectionat freind to be commanded,

MELROS.

Edinburgh, 28 Oct. [1621?]

I delay the clofing of the packet, till I fie what may this day be done in your Irifh commiffion.

Their is none of your Irifh witneffis yet come, bot Lochinvar's fone, and fo the examination will delay till we fie if others cum or no, wherof yee fall know by the nixt packet.

To the right wourfchipfull John  
Murray of Lochmaben, one  
of his Maiefties Bedchamber,  
at Court.

CCLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE refflaut your maiefteis lettre of the nyneteene of this inftant, by the whilk your maieftie hes bene gratioufflie pleafit to mak

choise of ws, to haif the charge and directioun of your most weyghtie affairis occurring in this kingdome, quhairin, as with all submisive reuerence, we acknoulege your maiesteis fauour, and the confidence your maiestie repoiseth in oure fidelitie to go far beyond ony wourthe that is in ws, and to be more then oure seruiceis can be able to deserve; so we falbe cairfull, by the vttermoſt of oure indevoiris, and in all loyall affectioun, to approve oure selfis anfuerable to your maiesteis hoipis and expectatioun, and by oure cair, diligence, and best resolutionis, to gif vnto your maiestie contentment, in this charge concredite vnto ws.

At oure meeting and conference vpoun this subiect, thair come three other lettres frome your maiestie to oure handis of this fame dait; the first concerning the motioun maid vnto your maiestie, for supeſeiding the executioun of the act of parliament maid aganis superfluous banquetting and apparrell, vpoun pretexte of the diminutioun of your maiesteis customes; the secund concerning the offer maid vnto your maiestie, on behalf of the toun of Edinburgh, for thair extraordinair taxatioun vpoun the annuelrentis: and the thrid and last lettre towcheing the collectoris of this present taxatioun, quhairin your maiestie hes declairit your will, that it fall not be bestowed vpoun ony persone, as a mater of beneſeit or rewarde for seruice. Off the quhilkis three missives, we remember that the first and secund hes beene alreddie in some soirt anſuerit; for your maiestie haueing, by twa formair lettres of the 12 of October last, recommendit vnto your counsell the consideratioun of these tua particulairis anent the banquetting and apparrell, it wes vpoun the first of this moneth considderit in counsell, that the wyfest fort of the whole subiectis greiving vehementlie, at the vniuerfall harme proceeding of the superfluitie of bothe, and eirnistlie desiring the restreant thair of, ressaued meruellous contentment quhen thay saw that article warranted by youre sacred hand, whilk gaif libertie to the esteatis of parliament to aduysie and resolue vpoun the most expedient redresse. Who having selected some of the best experienced of euerie estate to considder of the particularis, thair opinioun wes so hairtelie approued, bothe in articlis and publict parliament, that it wes thocht to be one of the most pouerfull inducementis to procure so free and hairtie consent to the grite ſowme of the

ordinair taxatioun, and to gif way to the novaltie of the taxatioun of annuallrentis, thinking that the forbearance of waste vsed of befoir vpoun superfluous apparrell and banqueting, fould inable the subiectis to gif the more abundant supplee to your maiesteis affairis. And now, yf the priuat fute of couetous marcheantis, preferring their iniust gayne to the publict benefeit, fould, by importunitie or fals suggestionis, procure the subiectis to be defraudit of the effect of that course, whilk, by your maiesteis royall fauours, wes fetled for the cuntreys goode, it might occaſioun a grittar greif to the subiectis, nor the pretendit interest of the trade, and of the customes formarie payed to youre maiestie for goodis of that fort could counteruale; ſince no bipaſt diligence of the customaris and ſearcherouris could impede the craft of the marcheantis concealing of theſe paſments of gold, ſiluer, and ſilk, and otheris ſmall wairis of that kynd, and by tryell of the cuſtume reſſaued for all theſe fortis of wairis, the ſowme of youre maiesteis cuſtume being fund by ws not to exceid the ſowme of ij<sup>m</sup> lib. Scottis, the commodityis whilkis may be imported with the ſtok, whilk wes formarie beſtowed vpoun paſmentis and other ſuche marcheandice, will, in our opinioun, equall that quantitie of cuſtume vsed to be payit for that, whilk is now prohibite; ſo as we can foirſie no preiudice to your maieſtie in allowance and executioun of the act of parliament, and reiecting the marcheantis partiall fute.

And towcheing the agreeement with the toun of Edinburgh, for thair taxatioun, that mater, vpoun the directioun of your maiesteis firſt lettre, wes ſatled and putt to a pointe vpoun the 22 of this inſtant, and we haif aggreit with thame, for fourtie thouſand pundis in ſatiffactioun of thair whole taxatioun, ordinair and extraordinair, to be payit at the foure termes of the taxatioun; towitt, ten thouſand pundis at euerie terme, quhilk ſowme being conferrit with the ordinair taxatioun of the ſaid burgh, extending to foure thouſand, ſevin hundreth lxxxj lib. termelie, will amount to more nor the double of the ſaid ordinair, and will anſuer in proportion to a ſtok of aboue aughtene hundreth thouſand merkis, whilk is more, nor in oure opinioun, wald haif come to light within the ſaid burgh.

And towcheing your maiesteis laſt lettre, for the collectorie of the taxatioun, your maieſtie hes alreddy maid choiſe of the Erle of Mar for that

charge, whose patent is exped your preue seale, and he is to supplee that seruice freele, without ony fee for his trauellis. The nominatioun of the vnder collectouris, who ar to be employed to charge for the taxatioun, apperteyneth to the principall collectour, seeing he must be ansuerable for thame, and he hes employed nane, bot these that wer employed in the preceding taxationis, and vpoun these same conditionis and allowanceis, to witt, xijd of the pund ; quhairof, yf, after consideratioun and heiring of the comptis, ony defeafance falbe thocht necessair to be maid, and that ony superplus shall appeir to aryse, the same fall accrefce vnto your maiestie ; and we falbe verie circomespect and cairfull, that, at the making of the faidis comptis, no vnecessair, idill, nor superfluous allowanceis falbe admittit.

This being the effect and substance of our proceedingis in thir three particularis, we humelie present the same to your maiesteis consideratioun, and will humelie beseeche your maiestie to accept the same in goode pairt, as proceeding frome suche groundis and warrandis as, in our opinioun, tendis most to your maiesteis honour and benefeit, and weele of the cuntry. And so, praying the Almighty God to watche ouer your sacred persone, and to blisse your maiesteis reigunn with the continuance of mony lang and happie yeiris, we rest for ever

Your Maiesteis most humble and obedyent  
subiectis and seruitoris,

AL. CANCELL<sup>s</sup>.

MELROS.

A. MAR.

SANCTANDREWS.

LAUDERDAILL.

MORTON.

NITHSDAILL.

CARNEGIE.

W. OLIPHANT.

GEORGE HAY.

Edinburgh, 29 Nouember 1621.

To the King his most sacred and  
excellent Maiestie.

## CCLIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AT ane meeting and conference whilk we had this day, anent youre maieftis rentis, thair wes ane propositioun maid vnto ws, in name of the citie of Glasgu, that thay might be hard to mak ane offer for the taxatioun of the annuelrentis within that citie; and it is lyke aneugh that some otheris townis, following the example of Edinburgh, will tak this same course. In whilk pointe, becaus we had not commissioun nor war-rand frome youre maieftie to deale, we forboore to medle thairwith, and we haif delayit the geving answer thairvnto, till we understand youre maieftis awne will and pleafour thairanent, whilk we will humelie beseeke youre maieftie to retorne vnto ws at youre maieftis best oportunitie; and yf youre maieftie falbe pleased to allow of this course to be tane with Glasgu, and with fuche otheris townis as fall mak suite for the lyke, we falbe verie circomespect and cairfull so to deale thairin as falbe most for youre maieftis commoditie and proffit. And so, continewing oure humble and eirnist prayeris vnto God for youre maieftis lang and happie reigne, we rest

Your Maieftis most humble and obedyent  
subiectis and feruitouris,

AL. CANCELLS.

A. MAR.

NITHISDAILL.

MELROS.

LAUDERDAILL.

CARNEGIE.

J. HAMILTON.

W. OLIPHANT.

GEORGE HAY.

Edinburgh, the sixt of December 1621.

To the King his most sacred and  
excellent Maieftie.



## CCLIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiefteis lettre, with the petition preferrit vnto youre maieftie, be Robert Monteith of Eglifhaw, towcheing the offer maid be him to your maieftie, for a leafe of your maiefteis rentis and cafualtyis of Orknay and Yetland, for fome certane yeiris, and we haif lykewayes hard him felf, and hes conferrit with him vpoun this fubiect, wherby we perfeue that the reffoun pretendit be him for making fuite, is groundit vpoun ane debt of fourty thowfand pundis, alledgeit awand to him be the laite Erle of Orknay, whilk he offeris to difcharge to youre maieftie, and with that to gif vnto your maieftie fourty thowfand merkis of free rent be yeir; wherin, althoght fome showe of reffoun wald appeir for preferring of him to this fuite, yitt thair is findrie circomeftanceis concurring thairwith, and depending thairon, alfweele importing your maiefteis profeit as the goode of the cuntrie, whilkis, being weele confiderit, will require a choife to be maid of fome other perfone. For firft, refpect muft be had to the qualitie of the perfone that falbe preferrit, that no juft exceptioun be tane aganis him be the cuntrie people, vpoun occafion of ony jarris or difcontentmentis betuix thame, becaus he muft be your maiefteis fchireff and judge of the cuntrie, and in that refpect wald be free of fuche quarellis and contrauerfes, that, vnder the fhadow of youre maiefteis auctoritie, he corrupt not judgement, nor abufe your maiefteis auctoritie to his awne priuat endis; and of this point we knowe the faid Robert can not cleir him felf. And anent the debt acclaimed be him, the natur of that debt, and vpoun quhat ground he hes buildit and fett vp this grite fowme, hes not bene examined be ws. It appeiris, be his difcourfe, that the moft part hes growne vpoun ciuile actionis of fpoolyee, eiection, violent proffitis, and contrauentionis recouerit aganis the faid erle: and we ar in goode hoip that, after dew tryall and examination of the particularis, we fhall bring this mafle of money to ane lower end. Sua, that, in oure opinioun, thair is no reafoun, vpoun pretext of this debt, to gif him

ony defalcation of your maiefteis dewitie, bot to remitt him to the courfe of law, wherin he may expect iuftice accordinglie. And yf your maieftie fall tak the payment of this debt vpoun yow, the example thair of will draw vpoun your maieftie the burdyne of ane infinite number of otheris debtis of this kynd, more dew to be payit nor his. The laft point to be confiderit is your maiefteis commoditie, quhairin thair is ane offer of fourtie fyve thoufand merkis maid vnto ws, in name of Sir Johnne Buquhannane, whilk offer, conioyned with the honnour and difpofition of the man, who is knowne to be peaceable difpofit, and weele loued in the cuntrey, and who wilbe affifted with the hairy wifhes of all the cuntrey people to haif him defignit for this place, makis ws rather inclyne to him nor the other; and the rather becaus he is refponfall, and offeris goode caution for yeirlye payment of his dewitie, and to accept his tak with condition of clauffes irritant. Bot heirin fubmitting our felffis to your maiefteis awne pleafour, quhairunto we fhall conforme our felffis; and, in the meantyme, quhill the returne thair of, whilk we humelie wifhe to be fo foone as your maiefteis more weyghtie adoys will permitt, we fall not be negligent to draw this rent and dewitie, als far heighair as poffibillie we may. We pray God to watche ouer your facred perfone, and to bliffe youre maieftie with mony lang and happie yeiris, and we reft for euer

Your Maiefteis moft humble and obedient  
fubie&is and feruitouris,

AL. CANCELL<sup>r</sup>.

MELROS.

A. MAR.

GEORGE HAY.

W. OLIPHANT.

Edinburgh, xij December 1621.

To the King his moft facred and excellent  
Maieftie.

## CCLV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes ane signatour vnder your maiesteis hand presentet to be expet be ws, contening a gift of pensioun of three thowland and fax hundreth pundis Scottis to the Lord Kinchevin, his airis, and assignayis, with speciall assignatioun, to be payit oute of your maiesteis rentis of Orknay and Zetland; whairin, althoght we acknouledge your maiesteis fauour and bontie to that nobilman, whilk we ar verie willing to furdre, so far as the credite and dewitie of oure placeis will allow; yitt, we mon crave permissioun humelic to present vnto youre maiestie oure simple opinionis concerning this signatour in the forme and tennour as it is confaued and drawne vp. And first, it can not stand with forme nor ordour, nather can it be warrandit by custome or example, that pensiounis falbe gifted indefinitlie without limit or terme, to airis and assignayis, and no precedent can be showne in the lyke caise, whairupoun ony warrand may be pretendit for this signatour: nixt, it is not expedyent that assignationis falbe gevin oute of your maiesteis propirtie; and most vnfit, for mony considerationis, that your maiesteis propirtie of Orknay and Zetland falbe burdynnit that way, becaus the consequence and example thairof in the generall may produce mutche harme, and in proces of tyme will draw your maiesteis annex propirtie to a verie small accompt; and yf way falbe gevin vnto thame, your maiestie wilbe continually impeshed for grantis of that kynd, and your maiesteis whole propirtie, whairupoun the burdyne of the affairis and estate of this kingdome dependis, wilbe eatin vp, and yf ony interuening occasioun, importing your maiestie in honnour and credite, shall occur heir, all laughfull and ordinair meanis to advance the same wilbe cutt of. And thairfoir, seeing youre maiestie is gratiousslie disposit to benefeit that nobilman with a pensioun, oure humble aduise vnto youre maiestie is, that he haif it to him selff for a limit and sett tyme,

to be payit oute of youre maieſteis rentis and caſualtyis, without ony particular affignatioun for his payment; and, in ſo doing, the ordour and natur of ſuche giftis wilbe preferuit, and the nobilman may expect als fauourable payment as the importance of your maieſteis weyghtie affairis will permitt. And ſo, humelie craving your maieſteis pardoun for this oure prefumptioun, being drawne thairinto for diſcharge of oure dewyteis in the credite and truift your maieſtie repoſis in ws, we pray God to bliſſe your maieſtie with a lang and happie reigne, and reſtis

Your Maieſteis moſt humble and obedient  
ſubieſtis and feruitouris,

AL. CANCELL<sup>r</sup>.

MELROS.

A. MAR.

GEORGE HAY.

W. OLIPHANT.

Edinburgh, 13 December 1621.

To the King his moſt ſacred and  
excellent Maieſtie.

CCLVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reſſaued youre maieſteis lettre, by the whilk youre maieſtie hes recommendit vnto ws the tryeing and pvnifheing of ſuche perſonis, who, contrarie to youre maieſteis lawis, hes tranſportit gold and ſiluer furthe of this kingdome, by impoſing of fynes and penaltyis vpoun thame, anſuerable to the natur and qualitie of thair offenſes; quhilkis fynes youre maieſtie, by the tennour of the ſaid lettre, hes beſtowit vpoun Sir George

Bruce, and hes ordanit ane signatour to be exped to him thairupoun. As we acknolege, with all den respect, youre maiesteis fauouris to that gentleman, whose mony goode seruiceis done to youre maiestie, and whose generous dispositioun and constant resolutioun in the prosequitioun and following oute of mony worthie and profitable workis in this kingdome, hes deferued some toikine of youre maiesties princelie remembrance, wherunto we falbe so far afflitting, as the credite and dewitie of oure placeis will allow; yitt, the trust that youre maiestie hes repoised of youre affairis in ws, oblißes ws to foirfee youre maiestie with the inconuenientis that we find in the forme and nature of the signatour, as it is generallie ordanit to be exped; not that we will thairby precome to interrupt the course of youre maiesteis fauour to that gentleman, bot that we may vindicat oure selfis frome the imputatioun of vndeutifull seruandis, in not opposing aganis formes whilkis ar not allowable in youre maiesties exchekquer. For it can not stand with the order of the exchekquer, that giftis or affligationis of youre maiesteis casualtyis falbe past in this kynd, feeing thairby not onlie will grite confusioun aryise in the office of thesaurarie, bot a way wilbe oppynnit to mony importune suitaris to impeshe youre maiestie with thair petitionis of this kynd, and swa, in proces of tyme, the office of thesaurarie wilbe so rent and disinemberit, as it will become ane office onlie in name and showe, without mater or substance. We mon confes, that the transporte of moneyis hes beene, and is too frequent and commoun in this kingdome; bot the shifitis and subtiltyis of the marcheantis to frustrat and disapoint the discouerye ar sa mony, and so difficle to be obuiat, as hardlie can the abuse be represt or pvnish: And for remeid heirof, we ar to tak this course, that we will imploy the said Sir George, and imploy his meanes and help for discouerie of the offenderis; and we ar in goode hoip that his cair and diligence, conioyned with the expectatioun of gayne, falbe be ane grite furtherance and advancement of the bußynes, quhairin we fall so far proceed aganis the delinquentis, bothe by imposing of fynes, and pvnisheing of thame in thair personis, as the course of iustice will allow; and quhat fall aryise to youre maiestie thairupoun, youre maiestie may dispoise vpoun the same, in whole or in pairt, to the said Sir George, as youre maiestie shall think goode.

And quhairas it is liklie that some townis will mak offer to compone in groffe for thair townis, without bringing of the offendaris to a publict tryall, we wald humelie knowe youre maiesteis will and pleafour, yf we shall agree with thame in this kynd; quhairof lookeing to be aduerteift be youre maiestie, how soone youre maiesteis more weyghtie affairis will permitt, we most humelie tak our leeve, with our eimist prayers vnto God for the long continewance of youre maiesteis bliffed reigne over ws, and we rest for ever

Your Maiesteis most humble and obedyent  
subiectis and feruitouris,

AL. CANCELL<sup>r</sup>.  
MELROS.  
A. MAR.

GEORGE HAY.  
W. OLIPHANT.

Edinburgh, 20 December 1621.

To the King his most sacred and  
excellent Maiestie.

CCLVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes this day a petitioun gevin to youre maiesteis counfaill, be Maister Robert Bruce, humelie craving some ease and releiff in that directioun, and charge gevin to him for his confyneing within the burgh of Inuernes, in respect of the indispositioun and inhabilitie of his persone, and of his grit aige and infirmiteis, quhilkis are incident to aige, quhair-with, as he alledgeis, he is so far worne, and become so feeble and waik, as hardlie may he travell ony quhair; and he offeris to be confynned in his awne houe, and twa myllis aboute the same, and never to transcend the boundis thair of, without youre maiesteis warrand, as more particularlie

your maiestie will perfare, be his petitioun, whilk we haif heirwith fend vnto your maiestie. Bot becaus the directioun and warrand for his confyneing in Inuernes, proceidit frome your maiestie, we wald not prefoome to medle thairwith, without your maiesteis allowance. Onlie this far, we ar to showe vnto your maiestie, that, be the sight we had of him these twa dayis he wes broght befor the counsell, we knowe him to be a far decayed and worne man, not able, by probable coniectour and appeirance, to live lang; and we ar credibillie informed that his worldlie estate is verie waik, althocht he hes concealed the same in his petitioun, and that he hes nane of his awne to tak the charge thair of; fwa that his confyneing fo far frome his awne houe, and frome attendance on his awne affairis, will altogidder vndoe him. We write not this as ane motiue and argument to pleade for fauour vnto him, bot onlie to latt your maiestie knowe quhat we apprehend anent the dispositioun of his persone, and quhat we heir anent his wardlie estate and fortunis. Remitting the consideratioun, bothe of the one and the other, to your maiesteis most pious, grave, and princelie refolutioun, whilk your maiestie wilbe pleased to caus be returnit vnto us, quhen the importance of your maiesteis more weyghtie affairis may afford the occasioun. And so, with oure vncessant prayeris vnto God for your maiesties lang lyffe, happie reigne, and prosperous estate, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitoris,

AL. CANCELL<sup>s</sup>.

MELROS.

ABERDENE.

LAUDERDAILL.

AL. ELPHINSTON.

WEMIS.

GEORGE HAY.

W. OLIPHANT.

R. COKBURNE.

ARCHIBALD NAPER.

Edinburgh, 22 Januair 1622.

To the King his most sacred and  
excellent Maiestie.

## CCLVIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

VNDERSTANDING, by my Lord Chancelar, that the Earle of Kellie, by his letter, had signified to him, that it wes your royall pleafour, that I fould aduertife what order wes prescriued for the timelie and convenient searchof pearles in this kingdome, with the effects thairrof. For obedience of your maiesties commandement, by the letter first sent to me for that pourpofe, I conferred with the Lord Chancelar and Aduocat, and by their aduice and concurrence, directed commiffions to Sir Robert Gordon, and, in his abfence, to his brother Sir Alexander, for Sutherland; to the Lord of Kintail, for the waters in Rofs; and to Mr Patrik Maitland of Auchincreif, for the waters of Eythen, and others within the fchirefdome of Aberden: with power to Maifter Patrik Maitland to receiue all the pearle that fould be found to youre maiesties vse, geuing due fatiffaction to the takers therof. I haue not hard of the effects of Sir Alexander Gordons diligence, but haue of new remembred him, by letter, of your maiesties direction, and his owne dutie. I haue fpoken with the Lord Kintail, in this towne, who fayes he hes not hard of any pearle taken, fence his commiffion, in the waters of Rofs. Maifter Patrik Maitland perfewed fome men of Aberdene, before the counfell, for thair vnlauffull buyeing of pearles, fince the proclamation; who compeiring, fome confessed a fmall quantitie of pearle of no valew, the rest, being fworne and examined, denied. Order wes taken with the contravenars, and they acted vnder great panes to abfteane from that trade; and the proclamation commanded to be of new published, to restraine the abufe of vnlauffull buyeing. I am informed that their are findrie other riuers in this kingdome where pearles ar found; as the water of Forth, the waters of Cart befide Paislay, and fome waters in Galloway; but I heare not of any pearles of wourth found thairin, except verie rarelie. If it please



your maiestie to make choice of any dwelling in those cuntries, to take charge of the riuers, commissions shall be giuen as they shall be directed. So, prayeing God long and graciouſlie to preferue your maiestie, the pearle of kings, I rest

Your sacred Maiesties most humble and faithfull  
subiect and bund seruant,

MELROS.

Edinburgh, penult of Januar 1622.

The schip of Oftend, which wes at Monrofs, hes been rencountred at sea be a waghter of the estates, and so miserable beaten, that scho wes to flie to Stanehyue, vnable to be repaired for vse or seruice, as we heare.

Last of Januar 1622.

To the Kings most sacred Maiestie.

CCLIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVEING by oure formar lettre, of the last of Junij, presented vnto youre maiestie, oure opinioun, concerning the tua remissionis signed be your maiestie, and defyrit to be exped be ws; the one in fauouris of Sir James M'Donald, and the other in fauouris of M'Rannald, with the reſſonis moueing ws to superſeid the paſſing of the ſame, till we ſould vnderſtand forder of youre maieſteis pleaſour thairanent: We knowe,

that the importance of youre maiefties more weyghtie affairis, hes not offerit the occaſioun vnto your maieſtie, to returne vnto ws your anſwer thairanent; and now we vnderſtand, that M<sup>r</sup>Rannald is come to this cuntrey, leaneing to a proteſtioun grantit be youre maieſtie to him, vnder your hand and ſignett, and without ony direſtioun or warrand for taking ordour with him anent his futur obedyence and quietnes; quhairin, althocht we will eſhew to be curious, towcheing the particularis of youre maieſteis purpois in that mater, yitt the truſte that youre maieſtie hes repoſed of youre affairis in ws, obliſſes ws, in dewtie and alledgeance, to preſent vnto youre maieſtie oure ſimple opinionis, concerning that man, whoſe bipaſt lyffe and conuerſatioun hes bene ſo lewde and violent in bloode, thift, reafe, and oppreſſioun, that to this hour he never randerit obedyence, and he wes not only the contryvair and plottair of the ſaid Sir James his eſchapp and brek of warde, bot a principall aſtor in the rebelloun that followit thairupoun, the ſuppreſſing quhairof wes ſo chargeable vnto youre maieſtie, and troubleſome to the cuntreie; and we can expect no thing frome him in tyme comeing, bot a conſtant continewance in the villanyis, quhairin he hes bene broght vp, and hes ſpent the reſt of his vnhappy lyffe. And whereas now the whole Ilis and Continent nixt adiaſcent, ar in a maner reduceit to obedyence, and no publiſt diſobedyence profeſt, bot be Allane M<sup>r</sup>Eandny, fader in law to this manis eldeſt ſone, youre maieſtie may confiſder, how far others lymmaris, wick-edlie diſpoſit, and not yitt fullie ſatled in obedyence, may be encourageit, vpoun the example of this man, and hoip of impvntie, to offend: and yf he, with the other lymmair M<sup>r</sup>Eandny, fall joyne togidder, according to thair wounted maner, as appeirandlie thay will do, nomberis of inſolent perſonis, who now lurkis, and ar quyet, will brek lowſe and follow thair fortunis, quhairvpoun griter diſordour and vnquietnes will aryſe, nor wilbe weele gottin ſatled. The confiſderatioun quhairof, conjoynd with the example and conſequence depending thairon, hes enforced ws, oute of that dewtie quhilk we owe vnto youre maieſtie, moſt humelie and ſubmiſſiuelie, to ſhowe vnto youre maieſtie, quhat we apprehend concerning this particular, quhairin we haif no other reſpect nor confiſderatioun, bot the peace and quietnes of the cuntrey. And yf youre maieſtie falſe

pleafed to fend vnto ws, ony directioun concerning this man, we falbe cairfull to fee the fame execute accordinglie : And fo, praying the Almighty God to watche ouer youre facred perfone, and to bliffe youre maieftie with mony lang and happie yeiris, we reft

Your Maiefties moft humble and obedient  
fubiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
A. MAR.  
GEORGE HAY.

Halirudhous, xxi of Merche 1622.

To the King his moft facred and  
excellent Maieftie.

CCLX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maieftie wes pleafit, tua yeiris fyne or thairby, to recommend vnto ws the fatling and remoueing, by ane amicable forme and maner, the deadlie feade ftanding betuix the Lairdis of Culmalundie and Monyvaird, and thair freindis, vpoun occafion of the flaughter of the Laird of Monyvaird, and to move the partie greeued, to accept of fuche offeris, as the offenderis might reaſonablie performe; we accordingly write for ſa mony of the freindis, as we knew to haif cheif intereſſe in that mater, and vſed the beſt meanes we could, to haif broght the fame to ſome freindlie dreſſe; bot that dyet being caſſin of, vpoun alledgeance that ſome of the ſpeciall freindis wer omittit and not writtin for, we appointit a new dyet, and write for the whole freindis that wer gevin vp, who returnit thair anſwer to ws in write vnder thair handis, that thay

could not medle in that mater, nor tak burdyne for Monyvaird, who is the principall pairty haueand intereffe, in respect of his minoritie: whairupoun the mater desertit, and we could go no forder thairin. At this fecund dyet, Cultmalundie, eldair, exhibite befor ws offeris in write vnder his hand, maid to the pairtie, contening the fowme of ane thowfand crownes for the afflythement of that slaughter, with the banishment of Alexander Bruce, his sone, and George Tyre, messinger, who wer alledgeit to be the actuell slayaris of Monyvaird, during youre maiesteis pleafour; and at that same tyme, we causit him gif satisfactioun to Duncane Campbell and Dauid Malloche, who wer deadlie hurte quhen Monyvaird wes slayne, by payment making to thame of tua thousand pundis, quhairupoun thay haif gevin ane discharge of thair intereffe in that mater, as the same, produceit befor ws, bearis. This feade hes altogidder yndone auld Cultmalundie, for his estate is exhaustit and wrackit, and he is become verie waik of his iudgement and vnderstanding, by the greif that thir troublis hes brocht vpoun him, whilkis wer the occasioun of his wyffis deathe, and of the exyle and banishment of his fones and freindis now be the space of foure yeiris; in the whilk exyle, tua of his freindis, of goode rank and qualitie, hes depairtit this lyffe. This being the effect of oure dealing in this bussynes, we haif beene intreated be the pairtie, humelie to present the same to youre maiesteis consideratioun. And so, continewing oure vnceffant prayers vnto God for youre maiesteis lang and happie reigne, we rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

AL. CANCELLS.  
MELROS.  
A. MAR.  
GEORGE HAY.

Halirudhous, xxi of Marche 1622.

To the King his most sacred and  
excellent Maiestie.

CCLXI.—THE NAMES OF THESE QUHA AR DECLAIRIT FUGITIUES FRA THE JUSTICE COURT, HALDIN AT DRUMFREIS, THE XXI, XXIJ, AND XXIIJ DAYES OF MAYE, 1622 YEIRIS.

James Johnstoun of Lochihous.  
 Robert Grahame, his feruitour.  
 James Douglas, his feruitour.  
 James Johnstoun in Croftheids.  
 James Johnstoun, called of Braikinfyde.  
 Williame Achefoun of Powcornall.  
 Jaffray Irwing of Robgill.  
 Christopher Irwing, his foun.  
 Alexander Irwing in Boydkin.  
 Thomas Taggart in Chappellknow.  
 Johne Irwing, *alias* Lyttill Boy, in Stapletoun.  
 Gib Irwing, *alias* Gib of Langfyde.  
 Margaret Arnefrange, callit the Wairding.  
 Thomas Arnefrange, hir foune.  
 Archbald Lyttle, sometyme at Quhytliefyde.  
 Richat Irwing of Wodhous.  
 Williame Makcaige in Porterstoun.  
 Edwart Johnstoun in Siefeld.  
 Geordie Arnefrange, callit Airchies Geordie.  
 Williame Robfoun in Hoilhous.

THE NAMES OF THESE THAT PAST TO ANE ASSYSE AND CLENGIT.

Mathow Littill in Newlandis.  
 Alexander and John Littillis, his founes.  
 Willie Arnefrange, callit Pavunes Willie.

Thomas Lyttell in Barkclaes.

Syme Armeſtrange, callit Qwhythauche.

Hector Elliot in Rig.

George Colhart, feruitour to Jaffray Irwing.

Ritchie Irwing, callit Gawins Ritchie.

George and Williame Littlers, bretheren, in Wyfbie.

Johne Achefoune in Coryphen.

Thomas Lyttell in Dowglen.

#### THE NAMES OF THE PERSONIS CONVICT.

Johne Armeſtrange, called Bauld Jock, execut.

Adame Henrye in Logane, feruitour to Captane James Johnſtoun of Lochhous, execut for thiftis committit ather with his maifter, or be his direction.

Gilbert and George Irwingis, bretheren, callit Quhytelocks, execut.

Walter Littell in Bombie, execut.

Thomas Moffat in Hietas, execut.

Adame Mairtene, foune to Robert Mairtene in Logane, convict for ane pair of doore bandis of iron, and ſome furlot of victuall, referueit without dome, till we be advyſeit with the Lordis of Counfall.

Thomas Warrick in Pottum, convict of tua nolt, perteyning to ane Ingliche man, quho wantit four: the nature of his convictioun being, that he, haueing put the ſaid nolt in graſſing to ane other, the nolt chalengit be the Ingliſchman into the other manis aucht, quho had thame in graſſing, callit Archie Lyttell; Lyttell renderis the nolt to Warrick agane; and quhen the Ingliſhman comes to ſpeir for the gudes at Lyttle, quher he challengeit thame firſt, Lyttell gois with him to Warrick, quho denyes the ſaid guides; ſua the queſtioun ſtanding debaittable betuixt the ſaid Lyttle and Warrick, both paſſing to ane aſſyſe, Warrick being convict, we think hard to giue dome of lyfe vpoun him, ſence it is not cleir, but be preſumptionis, that theſe was truelie the Ingliſhmanis guidis, quhilk he reſtaurit bak agane, or gaue for graſſing to Lyttell; hes ordaneit him, of the red-

dieft of his gudes, to repaye the Inglishman his nolt; hes kept him in pryffoun, and continueit dome, till we be farther advyfeit with the Lordis of Counfall.

To the richt worshipfull my most respected  
and speciall gude freind, Maister Murraye  
of Lochmaebene, one of his Majesteis Bed-  
chalmer, Thesfe.

## CCLXII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

HIS maiesteis gracious respect to my humble fute for Maister Thomas Henderfon, after innumerable other preceeding great benefites, do so far exceed my seruice, curie way defectiue but in fidelitie, that I can rander no thing therfor but my feruent prayers, which I daylie make to God, for his long and prosperous life and estate, and request yow to frie me from reproach of foule ingratitude, by presenting to his maiestie most humble thanks, in my name, for that, and all other his infinit royall fauours to me. My former recommendations for the lords Carnegie and Durie fand grace in his maiesties eyes, and their behaiour hes giuen, and I hope fall giue, such contentment to his people, in thair charge, as fall procure from their heartes true praifes to his maiestie, and thanks to God for his care of iustice to be ministred to them. Maister Thomas Henderfons learning and carriage in the commissariat, and faithfulnessse in his bypast seruice to his maiestie, promifes continowance and encrease of his honest endeouours in this more eminent place,\* wherin he fall haue my best counfels and encouragements. So, beseeching God to prolong

\* Sir Thomas Henderson was admitted a Lord of Session 6th June 1622, in place of Sir Lewis Craig.

his maiefties health and life, and accomplifh his royall defires, I with yow  
all happineffe, and reft

Your obliged freind to be commanded,

MELROS.

Edinburgh, 28 May [1622?]

To the right worfhipfull John Murray  
of Lochmaben, one of his Maiefties  
Bedchamber, at Court.

CCLXIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

By my letters of the fixt, I declared the eftate of youre owne  
affaires, and of my lord Chancelars fickenefle, which God hes turned to  
the beft, and ginen fo good beginning to his health, as I hope letters,  
wretin with his owne hand, to the earle of Kellie, fall accompanie this  
packet, and declare that his paine is ended, and no trouble remaines but  
weakenefle efter a dangerous difeafe, albeit it hes beene of fhort con-  
tinouance, praifed be God. I know his maieftie will be glade to heare  
from yow, that fo auncient and worthie a feruant is yet able to liue, and  
continow in his wonted good affection, to do his maieftie faithfull and  
profitable feruice. So, having no other fubie&t of writing at this time, I  
commit yow to God, and reft

Your obliged and euer obedient freind,

MELROS.

Edinburgh, 10 June [1622?]

To the right worfhipfull Maifter Murray  
of Lochmaben, one of his Maiefties  
Bedchamber, at Court.



## CCLXIV.—EARL OF MELROS TO JOHN MURRAY.

SIR,

BEFORE the packet go, I expect the Earle of Mars returne from Alloua, and then fall resolute and aduertise yow of your affaires with him, and returne your letter.

Drumlanrick, vnto caption aganis Wamphraes brother, fought concurrence of young Lag, as one of your deputies, who, offering his assistance, fand no obedience. The howse of Wamphra is belawed, and commission giuen by the counsell to Lag, to vse his maiesties autoritie; and for notifying your power, and these whom ye haue appointed, I haue caused direct from the counsell, publication of your place in the commission, and names of these whom ye haue deputed.

I wrote with regret of my lord Chancelars dangerous sickenesse, and thereafter, by information of his seruants, wrote, by my last, of better hope of his reuerie, wherof there is now so litle appearance, in the judgement of his physicians, as we haue all conceiued greif for the danger of his life, wherof ye shall know more before this letter close. By my first vpon this subiect, ye knew that I was so farre from blind ambition, as I wished his maiestie might vnderstand by yow, how vnable I was to susteine the burden I will beare, during the vacancie of that place. I haue striven to discharge that wherewith his maiestie was graciously pleased to honor me, and will still endeavour my self to continue so long as God giveth me strength; but the imposing of farder would overburden me, and therefore I humbly wish, that, if my lord Chancelars disease overcome him, vpon knowledge therof, his maiestie may make choice of any whom he, in his excellent wisdom, judges most fit for that great place, to whom I may giue my faithfull and readie concurrence, and be exonerated of that overcharge, which will oppress me, while some worthy officer be settled by his maiestie in that place. Since the writing of what preceedis, I visited my lord Chancellor, who remembred our long coniunction in his maiesties

feruice, and our ancient acquaintance and freindship, which he desired me to remember in the lawfull affaires of his ladie, children, and freinds, which I promised, and fall, God willing, performe. He is extreamlie weakned, and in small hope of recouerie, which is heavelie regrated be many of all estates. The earle of Mar is now come, and, by conference, hes assured me, that he fall readelie renunce all right, he or his sonne can pretend to any land of yours, wherof I likewayes spake with Mr Th. Hope for the furetie, and fall sie things perfited before farder be done in the action; and so I returne heirwith your letter, as ye desired, and wishing yow all happines, I rest

Your faithfull, affectionat, and  
obedient freind,

MELROS.

Edinburgh, 13 June [1622?]

To the right worshipfull John Murray  
of Lochmaben, one of his Maiesties  
Bedchamber, at Court.

I know ye will be glade to heare, that thair is newes come to me of better hope of my lord Chancelars recouerie, which I pray God encrease.

CCLXV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

YOUR maiesties letter, commanding Dunkerker, being in the herberie or roade of Leith, to be vsed as subiects of a prince, in freindship with your maiestie, and to be furnished of necessaries for themselues or their shippes, at reasonablen rates, wes presented to your counsell, vpon the el-

leuint of this moneth, and assurance giuen to the bearer and capten of the ship, that, behauing themselves peaceable, they should be no worse vsed nor your maiesties owne subiects. Commandement was then giuen to the prouest and bailies of this towne, that they and their water bailie in Leith, should see your maiesties will in that busines fullie accomplished. The ship lay in the roade, and the fouldiours repaired to land as they pleased, till Wednesday at night, that two Holland waughters arriued, and fand a pinage of theirs neere the Dunkerker, who, about one in the morning, assailed the Dunkerker, who made good resistance, and first repulsed them from bourding, and thereafter by the space of two houres, interchanged a great number of shot on either side, and many wounded. Before foure, some of the Dunkerkers, who were a land, and saw what had hapned, came and aduertised me that the combat was onlie surceassed, because the ebbing sea had brought all the shippes on ground, who, so soone as the water should rise, would renew their combat, which they prayed me to prevent. My Lord Chancelar and Thesaurar being absent, I made speedie warning to the small number of counsellors being in towne, to conueene, and directed the prouest and bailies to come before them, and likeways sent for the constable of the castell and admirall depute. Meeting first with the magistrates, I directed them to warne their citizens to be in armes, readie to marche whether the counsell should command them for your maiesties seruice, and commanded the constable to haue the cannoners, with ordonance, and all necessarie furniture, readie to be employed in your seruice, by the counsell: Who, conueening, sent a charge with the water bailie, with ane herald and trumpetour, to command both parties, in your maiesties name, to keepe your peace, and forbear inuasion one of another, vpon the land or narrow waters, and that each ship should send a principall man to the counsell. Which being obeyed, I told the Hollanders, in your maiestie and your counsels name, that great offence was taken at their presumption, to trouble any man, being subiect of a prince in amitie with your maiestie, in the verie mouth of the principall herberie of this your kingdome, they of all others being most bound in humble respect to the effects of your royall fauour to them, notour to all the world.

They excused the mater, complaining that the Dunkerker had, within your maiesties waters, assailed and forced their cuntry shippes, killed of their men, and had deteaned a number of prifoners, whom, they requiring to be rendered, the others refusall to do them reason, had made them to repaire violent injurie by lafull inuasion, and desired that the counsell might cause the Dunkerker restore their men. I answered, that your maiestie wes freind to both, but that your counsell wer not to be arbiters of their controuerfies, but freindlie receiuers of both parties, who shold behaue them selues peceable, and of new commanded them to forbear all violence to their aduerfars in this cuntry, or your maiesties narrow waters: and thereafter, calling for the Dunkerker, told him of the Hollanders complaint and wrong done by him, on your maiesties coast, which he denied, affirming that what he had done wes in the rowme seas. We proponed the restitution of the prifoners, which he excused; but both promised to keepe your maiesties peace. The Dunkerker desired permission to enter the herbrie of Leith, which wes granted, and I think the others will do the like. The admirall depute wes directed to try what the feamen at Leith could performe, if we had found any of the strangers disobedient. He reported that they were altogether vnable, and saw no way to force them to obedience, but by bringing ordonance from the castell to the shoare, to ding them so long as they shold be within shot. If they fall keep promise of obedience, we will be releued of that difficultie at this time; but I will humbly beseech your maiestie to consider and direct what course, your counsell shall take at the like occasions, which may frequentlie occurre hereafter, in respect of the number of warre shippes of both parties, in this seas of late, now liklie to continew, vnles your maiestie, by your excellent wisdom and royall autoritie, prevent it. We haue commanded the captaines of both parties to be before the counsell tomorrow, and are informed that he who hes charge of the Hollanders, is called Monsieur de Hautain, and is admirall of Zeland, of good qualitie and accompt amongs the estates.

This accident hes giuen vs proof of the incommodie of my Lord Chancelars absence, who hes bene so sicke thir fiftene dayes, that mens

hopes and dispaire of his recouerie have many times changed. He is eafed of his paine, but fo weake, as, if he escape, which is greatlie wished, it will be long before he recouer his strength; and if he deceafe, your maiesties seruice may neither admit delay of the appointing of a fuccesfour, inrefpect of my insufficiency to fufteane the burding during the vacancie, nor can it be fupplied but by one of greateft autoritie, faith, and fufficiencie within the kingdome. They ar all fo well knowne to your maieftie, and your royall judgement is fo excellent, and loue to your fubiects fo notour, as none can dout of the perfection of your maiesties choice. So, praying God to preferue your maieftie many happie yeares, I reft

Your Maiefties moft humble and faithfull  
fubiect and feruant,

MELROS,

Edinburgh, 13 June [1622?]  
at night.

[To the Kings moft excellent Maieftie.]

CCLXVI.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

THE inclofed will informe yow of my desire of your freindlie help in the maters may occurre throw occasion of my Lord Chancelars deceafe; and if ye think that the fight of my letter may moue his maieftie

to releue me of the burding wherwith some men wold ouerwhelme me,  
I pray yow vsed according to your freindlie discrecion. I rest

Your most oblifed and obedient freind,

MELROS.

Edinburgh, 16 June [1622?]

To the right worshipfull John Murray of  
Lochmaben, one of his Maiesties  
Bedchamber, at Court.

CCLXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

IT hes pleased God, this moirning, to call to his mercie, frome this mortall lyffe, the laite erle of Dunfermylne, your maiesteis faithfull and trustie counsellour, by whose deathe we ar depryued of grite affistance, folide counfell, and perfyte resolutioun, whilk by him we had in your maiesteis affairis, and of whose panefull trauellis, cair, and diligence in your maiesteis seruice, we can beare goode record. Bot seeing, in Godis appointit tyme, he hes compleit his course, to the regrait of all your maiesteis goode subiectis, we could not omitt of dewtie, in regaird of the grite and honourable place, whilk he held in this estate, to gif notice of his deathe vnto youre maieftie, and thairwithall humelie to befecke your maieftie to latt vs knowe, quhat your maieftie will gif, in directioun to ws, concerning your affairis and seruice, till your maieftie fall haif tyme and laifer to think vpoun a new choise to be maid for that honnourable place, whairof we persuade oure selffis, that youre maieftie, oute of your awne excellent iudgement, will confidder that the affairis can not, without preiudice, admit ony lang delay,

and that choise falbe maid of fuche a fitt perfone, whose giftis wilbe anfuerable to that heigh imployment. And specialie, we ar to recommend vnto your maieftie the necessitie of a present choise, to be maid of some perfone whome your maieftie will truste with the keeping of your maiefteis casshett, becaus the dispatche of all the publict affairis of the state, alweele concerning your maieftie as youre subiectis, quhairunto your maiefteis hand, vnder the casshett, is requisite, dependis thairon. In the meantyme, we haif thocht it expedient that your maiefteis grite feale falbe ressaued and kepted by ordour, to be preseryued be your counsell, who wilbe anfuerable that no vse falbe maid of it, till your maiefteis goode pleafour, falbe thairin knowne vnto ws, at whilk tyme the feale falbe deliuerit to fuche as your maieftie falbe pleased to command. And so, with oure humble prayeris vnto God for your maiefteis lang and happie reigenn, we rest

Your Maiesties most humble and obedient.

A. MAR.	J. ERSKYNE.	W. OLIPHANT.
WIGTOUN.	CARNEGIE.	SCOTTSTARVETT.
SANCTANDREWS.	J. COKBURNE.	GEO. ARESKYN.
MELROS.	J. CARRE.	CONSERVITEUR.
JA. GLASGOW.	J. HAMILTON.	WEEMIS.
AIRE.	R. COKBURNE.	

Edinburgh, 16 Junij 1622.

To the King his most sacred and  
excellent Maieftie.

CCLXVIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

I HAVE received your letter of the tent, and having wretin by the packet, caried be George Bailie, who parted vpon Sunday last, of my Lord

Chancelars death, and, in a letter to his maiestie, told what order was intended for keeping the great seale and caschet clofe vnyfed, till his maiestie shoulde be pleased to giue warrand for exercise therof, we expected that they shoulde haue bene presented to the counsell vpon Tyfday, but that was delayed vpon an excuse knowne to be true, that the Earle of Winton, who now hes thame, had bene so ouerwatched ten or tuell nights attending his vnclie in his sickenes, as not going to bed but verie feldome, was much altered, and not able to compeir vpon Tyfday. We expect his prefence vpon Thurisfday, and thereafter ye shall know what farther is done therein, that by yow his maiestie may be informed of the counsels diligence. But, as I wrote before to yow, vnles his maiestie take some speedie course to place in that charge, one of the worthiest and greatest autoritie in this kingdome, there is danger that his seruice may receiue preiudice. A greater part of the burding lyes vpon me nor I am able to beare. Many are able to serue at tennice, at the corde, who ar vnfit for the house. The nobleman latelie deceased, bearing the weghtie end of the barrow, made my charge light at the lower staale, his sufficiencie and autoritie making my taske easie, but if I want the like relief by anothers imployment in his place, I may shortlie incurre his maiesties displeasour for want of sufficiencie, when I haue vsed the best intended diligence that can be expected from so weake an instrument, for eschewing wherof I haue prayed yow, by all my letters wretin since the beginning of the Lord Chancelars sickenes, to represent to his maiestie the necessitie of a readie resolution in the choice of a worthie officer in the place now vaiking, and will neuer cease to importune yow, whill that busines be well settled. For your nighburheid, I wish your partie may conforme him self to reason, as I think he shoulde and will, and, if he do otherwayes, if all that are bund to your kindnesse be thankfull, your honest causes can not want lafull help; but I remit that to tryall, and hope the best of all honest men.

No better resolution can be taken anent my Lord of Stormont busines, nor that which your letter expresses. I am forie to heare Pitlour compleane of some new rigour, alledged vsed by my lords people agains him in their nighbourheid, but it is not my part to condemne a freind vnhard.



All that loue yow will allow the good courfe taken by yow for fetling freindfhip with the Earle of Niddifdaill.

The Earle of Mar, knowing his maiefties pleafour anent his renunciation of his clame as air to the Earle of Douglas, hes giuen in a declaration generall theranent to the feffion, which is regiftrat in their boukes, and will gaue particular contentment to parties who fall require their interest to be fecured; which I pray yow fignifie to his maieftie. The action betuix him and the Lord Elfinfton delays vpon other occafions; and what Maifter Thomas Hope will require for yow will be performed: fo, wifhing yow all happines, I reft

Your obleifhed and obedient freind,

MELROS.

Edinburgh, 19 June [1622.]

To the right worfhipfull John Murray  
of Lochmaben, one of his Maiefties  
Bedchamber, at Court.

CCLXIX.—THE LORDS OF SESSION TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

IN the action moved be the Erll of Mar againft the Lord Elphinfoun touching the lands of Kildrymmie, it hath pleafed your maieftie, being informed of a reasonable caufe, which may difhable your maiefties owne Aduocat to difcharge his dewtie in that pleading, to fubftitute Sir Alexander Gibfon of Durie, knight, one of our ordiner number, who.

thogh in all humilitie and reverence, did offer him selff most readie and will to embrace and obey, without exception, all your maiesties commandements, yet, finding this motion new and strange, proceeding rather from the instant suite of a partie, nor any other warrantable ground, did with vs to tak the samyn to our consideration, and let your maiestie knowe our judgement and opinion thairanent; and when we fund, it did in consequence touch the whole body, wherof we ar members, we could not weell refuse so reasonable a desire, bot rather wer vniformelie moved by the dissuasive reasons following, to represent to your maiesties royall wylome, which is our best leadstar in doubtis of this kynde, the effects which may ensue, iff this haue any way, as it is now suited.

First, the eminent dignitie whervnto your maiesties princelie power hath promoted vs in this place, shall, by this meanes, be empared, for that hath ever heirtofore privileged vs, from necessitie of vndergoing of any inferiour function, bot speciallie such a charge as this, which can not be discharged bot at the arbitrement, and be the disposing of the partie informer.

Nixt, as it is new and strange, so it is likewise for the preparative, dangerous, considering how often the like caise may occur, at least the like cause be pretendit. For, iff it fall be arbitrarie to parties, imploring the ordinarie ayde of iustice, to single out, vnder the like pretence, any of our number, at thair pleasure, it will in end proue both a weakning of our body and strenghtning off actions; and these bad effects, which this course, by appearance, will produce, moues vs to rest assured that your maiestie, out of your royall care, asweell of vs, as the weell of your subiects, will both forsee and avert the danger of them, and will rather be gratioullie pleased to appoynt that choise of substitution out of the number of advocats, nor our number, and the rather in respect that number hath, often before this tyme, bene with good success the feminarie of this place, and the garden, whence these of whome your maiestie made choyse for that service, haue alwayes bene pluckt and taken.

This our opinion on the occasion forsaide, as it doth proceed from our loyall and hartie affections, so we hope shalbe kyndlie taken by your maiesties fatherlie love, and we our selves be further directed by your maiesties royall wifdome and pleasure, to which, in all humilitie, conform-

ing and fubmitting ourfelves, and praying God for all happienes and proſperitie to your maiefties royall perfone and poſteritie, we reſt

Your Maiefties moſt devoted and humble ſervitours,

MELROS.  
SANCTANDREWS.  
LAUDERDAILL.  
CARNEGIE.  
MELUILL.  
A. HAMILTON.  
KILSAYTH.

T. HENRYSON.  
WEMIS.  
R. COKBURNE.  
J. COKBURNE.  
GEO. ARESKYN.  
AL. HAY.

Edinburgh, the xxth of June 1622.

To the King his moſt excellent Maieſtie.

CCLXX.—SIR THOMAS HENRYSON TO JOHN MURRAY.

MOST HONORABLE SIR,

MY maiſt affectionat dewtie premitit: the effectuall proove of your honoris firme freindſchip and aſſurit fauour, imboldnes me euer to rely vpoune the continewance thair of, towardis me and all myne, as I fall euer think me bound with ane wndiffoluable obligatioune to your honour and all your, quhill I live, or then be eſteemit the vngrateſt man leving: and amangſt the reſt of your honours courteſies, I muſt expect your fauour to, and cair of, ane tender freind of your awin honouris, the commiſſarie of Dumfreis, Maifter James Haliday, now in effect your honours ſiſterfoonne, having mariit your neipee; his woorth and behauour, I dout not, fall pleid for him at all handis; and ſeing thair is furniſhed heir the promotioun of ſome noble perfounes, quha hes ordinaire places

in Seffioune, to the dignitie of the Chancellarie, now wacand, throw the deceife of ane most woorthie and incomparable subiect as euer I knew in iustice feat; it war not amifs to remember your honours deir freind, quha is in sufficiencie not inferiour to ony pretendand: I dout not but his cariage vith tyme will procure his aduancement. The confideratioune quherof I remitt to your honours awin gud pleasure; and if ony of my freinds aboue can fecound your honours intentions heirin, I will most cairfully recommend the bufines to thame, as myne awin; and praying your honour euer to esteame me, as your firmly bound and tyed man, to your honours irrecompensable fauours, I committ your honour to Gods euerlasting proteccionne. Edinburgh, the fourt of Julij 1622.

Your honours maist affectionat seruiteur,

T. HENRYSON.

To the right honorable and his  
woorthie freind, Jhon Murray  
of Lochmabene, gentilman of  
his Majesties Bedchalmer, at  
Court, These.

CCLXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS the tyme of changeing of the schireffis, of whome youre maiestie hes the nominatioun, now approtecheis, we haif heirwith fend vp to youre maiestie, ane roll of the iusticeis of peace within these shirefdomes, to the effect youre maiestie may point oute, suche, whom youre maiestie wilbe pleased to prefer for the yeir to come. Thay who ar presentlie in office, ar markit with the letter P; and quhairas lykewayes, the office of shireffship of Murray hes bene, thir diuers yeiris bigane, voyde, pairtlie through the deceis of the laite shireff, and pairtlie vpoun occasioun of ane pretendit comprying of

the said office led be David Kinloche, marcheant burges of Edinburgh, who, being conscious to himself of his awne waiknes for fuche ane charge, hes forborne to medle thairin, sua that the adminiftratioun of justice within that shirefdome hes ceast; and your maiesties awne affairis, wherof the executioun pertenis to the shireff, hes bene negleſtit. And becaus the mater of the taxatioun wes in handis, whilk might admitt no delay of tyme, we burdynnit the Lord Lovatt, as tutour to the young schireff, with the ingaddering of the taxatioun for that shirefdome, who excuist him self that he could not medle in that mater, inreſpect of the comprifing foirſaid, without a formal commiffioun of shireffship in write for the whole foure yeiris of the taxatioun; in whilk point, we could gif him no other ſatiffactioun, bot that we ſould acquaint youre maieſtie thairwith, and crave youre maieſteis awne allowance thairunto; wherupoun he wes induceit to accept the charge for this yeir, the terme quhairof being now drawing neir, and the neceſſitie of a shireff for the mater of the taxatioun, befydis the otheris adois of the cuntrie, being ſo vrgent, as it can not weele be delayed, we will humelie beſeeke youre maieſtie to latt ws knowe, yf youre maieſtie wilbe pleaſit with the continewance of the ſaid Lord in that charge, for the yeiris to come of the taxatioun, whilk, in oure opinioun, is the faulfeſt courſe for youre maieſteis ſeruice; or, yf youre maieſtie will mak choiſe of ony other, we ſhall in all reuerence acquieſce to youre maieſteis pleaſour thairanent. And ſo, praying the Almighty God to watche ouer youre ſacred perſonne, and to bliſſe youre maieſtie with mony lang and happie yeiris, we ſet

Youre Maieſteis moſt humble and obedient  
ſubiectis and ſeruitouris,

A. MAR.  
WINTOUN.  
LOTHIANE.

\*

MELROS.  
LAUDERDAILL.  
MELUILL.

Edinburgh, 18 July 1622.

To the King his moſt excellent and  
ſacred Maieſtie.

## CCLXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

BY oure formar lettre of the xiiij of Junij laft, we acquentit youre maieftie quhat courfe we had tane betuix the Spanifhe and Holland fhippis that laitlie combated in the roade of Leithe, and how that we wer petitioned on the behalf of fome prifonnaris tane and detenit in the Spanifhe fchip, that thay might be putt to libertie, conforme to the custome of nationis, alledgeit to be vniuerfallie obferuit in the lyke caife, quhairunto we deferred to gif anwer, till the knowledg of youre maiefties pleafour, becaus the mater wes a noualtie, quairof the lyke had not occurrit in this kingdome, and we wer not foirfeene quhat the custome of nationis in fuche a caife allowed. Senfyne, thay haif renewit thair petitioun almoft euerye other counfell day; bot the expectatioun of youre maiefties anwer, quhilk we daylie attendit and looked for, maid ws to putt thame of with the beft excuifs we could. And now the mater hes bene of new vrged this counfell day; and it is constantlie affermed that fome of thir prifonnaris ar deadlie feeke. The confideratioun quhairof moued the counfell, being conuenit in a frequent number, to think that Chrifiane cheritie and humanitie, in a mater of this kynd, required a fauourable heiring and anwer; and thairfoir, we haif directit twa of the bailies of Edinburgh, with a phiftioun, to go and vifite the prifonnaris, in quhat eftate thay ar, and how mony of thame are trewlie feeke, and to reporte the trewthe thairfof to ws vpoun Twifday nixt; and we haif lykewayes ordanit the captaines of the Spanifhe and Holland fhippis to be befoir ws the faid day, inſtruetit with fuche informatioun and probatioun, anent the custome of nationis, as the one will vse for the laughfull detentioun of the prifonnaris, and quhairby the other will laughfullie clame their libertie, and to vnderly fuche ordour as falbe tane thairanent; wherein mony ar inclyned to haif a fauourable regaird of fuche as ar difeafed, and to putt thame to libertie vpoun caution for thair reentrie, yf fo it ſhal pleis your maieftie to command. We haif bene, and ar verie ſpairing to medle in this mater,

whilk concernis the subiectis of ane prince and estate, with whome your maiestie standis in goode termis of freindship, and we can find no prece-  
 dent, wherby we may be directit to a cleir and perfyte resolutioun in this  
 point; and thairfor we will humelic presume of new agane to requiest  
 youre maiestie, to assist us, by the excellencie of youre awne found and  
 perfyte iudgment, in this mater, and, by the returne of youre gracious will  
 and pleasour, to latt us knowe quhat we fall do thairin, and whilk falbe  
 a reule to us in all occurencis of the lyke natur heirefter. And so,  
 in all humilitie, praying the Almighty God to blisse your maiestie with  
 mony lang and happie dayis, we rest

Youre Maiesteis most humble and obedient  
 subiectis and feruitouris,

GEORGE HAY.

A. MAR.

J. MORTON.

MELROS.

MELUILL.

LAUDERDAILL.

J. ERSKYNE.

KILSAYTH.

A. HAMILTON.

BUCCLEUCHE.

CARNEGIE.

W. OLIPHANT.

Edinburgh, 25th July 1622.

To the King his most sacred and excellent  
 Maiestie.

CCLXXIII.—JOHN MURRAY TO THE EARL OF MELROS.

RIGHT HONORABLE,

I have receaved your letter off the 18, and hes confiderit vpon  
 the same, and the caus off my wreittin these lynes to your lordship, is the  
 mache off my freind your lordship wryttis off, that is gone one ffor foe fare,  
 for that I knoe owt off the countree, that some hes wrocht in that more  
 earnest nor before, and laid there grownds for this reafone, that may freind-

fchepe to the Lard Jonfton can not be fuche, as he can luk for any good by me ; fecond, the freindscheepe betuix the earle off Nyddifdaile and me, this I will faye, he that comtes befor his oist comtes tuye, and thefe whoe hes keepit the Lard Jonfton in trowble, hes not left off as yett, to hald him that waye, and ffor that whiche I wreitt to your lordship before, off my care off the Lard Jonfton, I think myght ferved, and more I could faye, iff I war with your lordship, bot will lett that refit till the owin tyme. This I hawe wreittin to your lordship, to defeir the Lard Jonfton to ftaye the contending his mache, whill he heard ffrome me, and iff my afferes be not als mucche both ffor his comoditie and honor, yee, and to aquent his honor, with Gods greace, and the affurence off my owin freindscheepe, as your lordship and vther off his honorabill freinds fhall be judge, that he may doe as he pleaffe, and in this I will defire your lordship to aquent him, and lett me heare ffrome your lordship iff thingis be not don, and ftaye thame whill your lordship haue my anfuer agane ; foe, haweand noe vther occaſion at this tyme, I will wiſche your lordship all happines frome him that will remeane

Your Lordships moſt obleſhed to ſerve yowe,

JOHN MURRAY.\*

At Whythall, the 27 July 1622.

For the Lard Jonftons buſlines with the tutor, I ſhall anfuer that noe courſe ſhall be taken in that, bot according as he did aggree at his being heare the laſt yeare, fore foe I hawe orderit with my Lord Nyddifdeale. Something of this I ſhewe my lord Chancellor, at Windfore, on his way comyng frome hence.

To the ryght honorabill, my werie  
good the Earle of Melros, Lord  
Secretter off Scotland.

\* John Murray was created Viſcount of Annand ſhortly after the date of this letter, but as the patent cannot be found, the exact period has not been aſcertained. It muſt, however, have been between the 27th of July and the 6th Auguſt thereafter. Upon the 13th March 1624, his Lordſhip was created Earl of Annandale.



CCLXXIV.—SIR THOMAS HENRYSON TO THE VISCOUNT OF ANNAND.

MY HONORABLE AND WOORTHIE LORD,

THE dewtifull offer of my kindlie service premittit, I am not able, ether by woord or wreitt, to exprefs your lordships fauours and woorthie meritts towardis me; and if I fuld ftryve and preife to acqyte thame kythit in deidis, by woordis only, I micht be eftimat in rank of ingraitis, but my mynd fall euer be far vtherwayis, if it fall pleis God, I haife that happines to exprefs it by fum occaſiounes, ether in your lordſhip, or your lordships freindis buſines, or ony thing that can concerne your lordſhip, quherin I am able to ferue your lordſhip or any of yours, I will intreit your lordships fauour by commandement to aſſay, if I fall fehrink in your lordships honorable pretenſions, in quhat I am able; and as I haif found your honorable lordships gude and effectuell fauour, in tymes paſt, ſo will I euer relie thairvpone, as my cheiff patrone and proteſtione. The Lord increaſe your lordſhip in all health, wealth, honour, and proſperitie, vith perpetuitie and indurance heir, ſo long as fleſche may florifche, and in eternall felicitie heirefter.

Your Lordships maift affectionat ſeruiteur,

T. HENRYSON.

Edinburgh, the firſt of Auguſt 1622.

I receauit your lordships letter of the 24 Julij this day, efter the writing heirof, quhilk is moire acceptable to me then ony thing culd befall. Pithie in wryting as your lordſhip hes bene to me, powerfull in doing, quhilk I fall eſteame euer ane ſure teſtimonie of your lordships

vndefervit fauour. I will not importune your lordship vith euerie occurrent, but will acquaint your lordship be my nephew.

To my most honorable and woorthie  
 Lord, my Lord Vicount of Annand, Thefe.

CCLXXV.—LORD JOHNSTOUN TO THE VISCOUNT OF ANNAND.

MY VERIE HONOURABLE LORD,

MY dewtie and seruice remembered vnto your lordship. I am informit be the rycht honourable my Lord of Melros, of your lordships lowe and kyndnefs ye carie to my hous, ffor the quhilk I falbe ewer red-die to ferve your lordship. As concerning my buffines with Drunlanrig, your lordship fall witt, that I may do thairin as pleaffes me, and fall keep myself frie, quhill I heer farder frome your lordship. Quhairfoir I will requiest your lordship to acquent me particularlie of your lordships meanyng, and giff it be to my credit and contentment (as I doubt not the contrair), your lordship fall command me. Pleis your lordship, my tutor and I hes of new submittit to some of the Ordinaries Lordes of Session, and my Lord Chancellor to be overfinan. Sua, expecting your lordships answer, with the first occasioun, I rest

Your lowing cussing to ferue yow,

JOHNSTOUN.

Edinburgh, 6 August 1622.

To my verrey honorabill guid Lord,  
 my Lord Viscount of Annan, Gentillmen of his Majesties Bedchamber, Thefe.

CCLXXVI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE GOOD LORD,

ALBEIT your lordships letter, which I returne heerwith, wes directed by packet of the 27 of July, for life, yet it came not to my hands till the fourt of this month, at tuelue a clock. I caufed make present searck for the laird of Johnstoun, and trying that he wes in Elfliston, I wrot to him, and inclofed your letter, praying him to confider of your kyndnes as it merited, and let me haue his anfuer with diligence. Yesterday afternoon he came to this place, and redeliuered your lordships letter, and promised to haue his letters at me this day to be sent to your lordship. The packet fall go so soone as I receiue them. His mother is in Ediuburgh, and Westerhall is still with him. He seemed to be well pleased with the motion, since it conteaned assurance of his profit and honour, which is all can be desired, if the parties be pleased each with the other. He can not at this time haue the earle of Mars aduice, for he is presentlie going to the Brae of Mar. Sir James Bailie promised to get John Auchmouties anfuer anent the submission. I told him it must be in no other termes, but what satisfaction your lordship fould giue him for any right or kindnes he could pretend. If he consent, the submission fall be drawne and sent to be subscribed, otherwayes your lordship fall be aduertified of his resolution. So, till farder occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to  
ferue yow,

MELROS.

Barnbougall, 6 of Aug.

The laird of Johnstoun came to me this day, and told that he had been in Allowa, at the earle of Mar, who had counfelled him to heare of the

particular condicions, which being agreeable to his good, fould haue his heartie consent. But ye will know things best by the lairds awne letters sent heirwith. 7 Aug. 1622.

To my verie honorable good lord, my Lord  
Vicount Annand, at Court.

Receaved the 17 Aug. at Elderfchote,  
1622.\*

CCLXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a petitioun gevin in this day to youre maiesties counsell, in name of James and Williame Cochranes, Archibald Hamiltoun, and Johnne Smaill, burgesse of Edinburgh, and George Duff, writter, havelie regraiting the wrong done vnto thame by that finifter reporte maid vnto youre maiestie, quhairwith thay wer burdynnit to be fubornaris of the witneffis, producit in the actioun of diuorce, perfewit be the said Williame aganis Ifobel Gichane, his spous, quhairupoun youre maiestie wes moued to grant ane warrand to the erle of Nithifdail for apprehending of thame, and committing of thame to warde, whilk wes accordingleie execute vpoun thame be the said erle his brother. And feeing thay wer never callit to thair answer for that cryme, thay being men who ar answerable and obedient to the lawis, and wer never spotted with fuche vnlaughfull doingis, thay humblie defyrit that thay might be fred of thair warde, vpoun caution to be answerable to thair tryale, quheneur thay

\* In Lord Annand's hand-writing.

falbe callit. This complaint being hard and confidderit in counsell, it wes thoght, be the vniforme content of all that wer present, that in materis of this kynd, quhair the law is patent, and iustice indifferently ministrat to all complenaris, that youre maiestie shuld not be importuned nor fashed, bot that the pairtyis shuld haif thair recourse to thair ordinar iudgeis; and towcheing this point of subornatioun obiectit aganis thir men, the tryale thair of wes proper to the commissiounaris of Edinburgh, or to the Lordis of Sessioun, incas thair concurrence had bene craued, befor whome the pairtie might haif expectit all laughfull fauour towards the discouerie of that cryme that the course of iustice wald allow. Yf way falbe gevin to priuat pairtyis, onte of thair discontented humours, to leave thair ordinar iudgeis, and to impefhe youre maiestie with thair petitionis, aganis forme and ordour, we doubt not bot youre maiestie will confidder quhat preiudice will thairupoun follow to the ordinar course of iustice, and how far youre maiestie wilbe importuned and fashed. And thairfor, we will humelie intreate youre maiestie, that in occurrentis of this kynd, to be heirafter presented vnto youre maiestie, youre maiestie wilbe pleased to remitt the pairtyis to the course of law, in the ordinar iudgement; by quhilk doing, youre maiestie wilbe fred and releued of grite importunitie and fasherie, and the ordiner forme of iustice wilbe preferued. And quhairas thir men ar responfall and anfuerable, and some of thame hes borne office of baillierie within this burgh, and we neuer hard of ony imputatioun of discredite aganis thame, it wes thairfor thought aggregable to equitie and iustice, that thay shuld be fred and releued of thair warde, vpoun caution, vnder grite fowmes, for thair reentrie vpoun the first counsell day of Nouember. Yf, in this meane tyme, youre maiestie wald haif ony forder ordour to be tane with thame, vpoun the significatioun of youre maiesties gracious will and pleafour, it falbe obeyed. Frances Keith hes bene ane often petitionar for his libertie, and offeris caution to be anfuerable to his tryale, and to keepe warde within Edinburgh or a myle thairabout, vnder grite fowmes; bot seeing he wes send heir by youre maiesties speciall directioun, his libertie wes refused till youre maiesties pleafour be knowne. And so, praying the Almightye God to

watche ouer youre sacred perfone, and to preferue youre maiestie in helthe and prosperitie, we rest

Your Maiesteis most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.  
A. MAR.  
WINTOUN.  
PERTHE.

MELROS.  
LAUDERDAILL.  
ROXBURGH.

Edinburgh, 28 August 1622.

To the King his most sacred and  
excellent Maiestie.

CCLXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By a lettre fend heir frome the Archiebifhop of Glasgw, we ar certified that Mortymer, the Jesuite, prifonner in Glasgw, is havelie diseased with ane appeiring deadlie consumptioun, and that haueing spent all that he had, hes not now the meanis to interteine him selff, and that he daylie cryis to be fend to France, offering to act him self vpoun the parrell of his heade nevir to returne; and the archiebifhop inclynnys that he falbe fend away vpoun this same conditioun, yf so it shall pleis youre maiestie to think meete. And thairfoir, these ar humelie to requiest youre maiestie to latt ws knowe, youre maiesteis will and pleasour in this mater, that accordinglie we may conforme oure selffis thairunto. And so, con-

tinewing oure vnceffant and eirnist prayeris vnto God for youre maiefteis  
lang and happie reigne, we rest

Yourre Maiefties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
A. MAR.  
WINTOUN.  
PERTHE.

MELROS.  
LAUDERDAILL.  
ROXBURGH.

Edinburgh, 28 August 1622.

To the King his most sacred and  
excellent Maieftie.

CCLXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE erle of Wyntoun, vpoun the retorne of youre maiefteis will and  
pleasoure, anent youre maiefteis grite feale and cashett, quhair of the laite  
erle of Dunfermyne, youre maiefteis Chancellour and faithfull seruand,  
had the charge and keeping, haueing exhibite the same befor youre ma-  
iefteis counsell, who wer conuenit in a frequent number at that tyme, he  
humelie desiryt, that by some autentique record, the dewtifull behaviour  
and cariage of the said laite lord Chancellour, in youre maiefteis affairis  
and seruice, might be testifeit and approvin, to the effect the same might  
remane to his posteritie, as a pledge and taikine of youre maiefteis gra-  
tious fauour, and by the quhilk your maieftie wes to crowne the mony  
grite fauouris formarie bestowed be youre maieftie vpoun him. This  
petitioun being hard and confidderit in counsell, it wes thocht meete that

the fameould be recommendit vnto youre maiestie, to whome the sinceritie of that nobleman, his affectioun and dispositioun to youre maiesties seruice, wes so weele knowne; and thay nowayes doubtit bot that youre sacred maiestie, oute of youre awne gracious respect towards all youre weil deserving seruandis, wilbe pleased to allow of this approbatioun. And thairfoir, we haif heirwith fend vp vnto youre maiestie, this signatour, drawne vp in his fauour, to the effect the fame, being warranted by youre sacred hand, may thairefter be past and exped in counsell. Yf ony thing be defectiue in the signatour, outhir in the forme or substance, vpoun the returne of youre maiesties pleasour, it falbe reformed. And so, with oure humble and vncessant prayaris vnto God for youre maiesties lang and happie reigne, we rest

Yourre Maiesteis most humble and obedient  
subiectis and seruitouris,

GEO. CANCELL<sup>s</sup>.  
ROXBURGH.  
A. MAR.  
MELROS.  
LAUDERDAILL.  
GLENCAIRNE.

STORMONT.  
PERTHE.  
J. ERSKYNE.  
WIGTOUN.  
CARNEGIE.

Edinburgh, 28 August 1622.

To the King his most sacred and  
excellent Maiestie.

CCLXXX.—NOTE BY THE EARL OF MELROS AS TO SIR WILLIAM KEITH'S  
IMPRISONMENT.

Vpon the tent of October instant, Sir William Keith, of Ludquharne, gaue in a bill to the counsell, desiring suspension of the horning



vsed against him, for his not compeirance before them, and for not entering such perones as he wes decreed to exhibit. I produced a letter of his maiesties, commanding me to shew to the counsell, that Sir William had informed his maiestie, that there wes one whom he wes vnable to exhibite, wherby his maiestie wes pleased, that if he sould present him self and the rest, his royall pleasure wes, that paynes sould be taken to reconcile Ludquharn and his partie; and if any difficultie were found, that his maiestie sould be aduertised therof. Which letter being red, Ludquharn wes called, and by my Lord Chancelar informed, that albeit the generall order required that he sould not haue any suspension till he and his complices were entered in ward, yet his knowledge of his maiesties desire to haue his troubles settled, had moued him to stay his partie to prosecute their intention, to vse caption against Ludquharn that morning, and the same respect had induced the counsell to dispenſe with the vsuall forme, and to grant him suspension till the first counsell day of Nouember, he finding caution, vnder the paine of thrie thousand pounds, that he sould that day compeir and enter his other complices, except one, called Mershell; and that, in the meantyme, he sould remane within six miles of Edinburgh. Ludquharn answered, that he wes vnable to enter the most part of his men, some of them being dead, some gone to the Lowe Countries, and some gone to Cathnes, so as he could not bind him self to present theſe; neither wes he able to enter any of them, vnles he wer permitted to go to his owne houle; but if that fauour were shoune him, he would find caution, either to present them or enter him self. My Lord Chancelar told him, that the counsell could not consent to his going to the cuntrie, becauſe, he being put to the horne for his and his mens not compeirance, he had gone to court, and after his returne, had kepted his rebellious complices in his companie, and with them riddin opinlie in the cuntrie, not forbearing Mukals bounds, which prouocation had increased the parties greif, and bred ſclander in the cuntrie; and for preventing the like, the counsell wald restraine him from going to the North. I prayed him to conforme him self to the counsells direction, and not to feare the danger of his cautioners, but to obey and imploy his friends to perswade or force als manie of his complices to compeir as they could; and if by that meane his maief-

tie fould fie cleir prouffes of his obedience and diligence, he had found fo cleer testimonies of his maiesties gracious clemencie, as he might vndowt-edlie beleue that his maiestie would not allow any penaltie to be exacted, which he fould vnwillinglie incur ; telling him withall, that he wes alreadie fo far in his maiesties reuerence, as, if he wer rigourouslie disposed, he might be charged with more nor his estate could beare. But he still pretending his inabilityie to do any thing if he wer not licensed to go to his cuntrie, the counsell commanded him to the towbuith. He contended earnestlie to haue ane act, testifeing his offer to find caution to enter himself or his complices, which the counsell took not well, as tending to a complaint of hard vsage, efter they had delt fo fauorable with him.\*

[Oct. 1622?]

CCLXXXI.—SIR WILLIAM KEITH TO KING JAMES VI.

MOST GRACIUS AND DREID SOWERINGE,

MAY it please your most excelentt maiestie to pardone the bouldnes off me, your maiesties poore distressed subiect, and with the eye off compassione to petie and regaird my estate. At your maiesties commande, I come heir to the counfall off Scotland, with allis grytt expedition as I could, and ther offeritt my selff willing, in what was possiable for me, to obey ther commandmentis; whois pleafour was, that I fould nott go home, bott fett fure and responfall catione, vnder the paine of thrie thousand pound, to remaine confynned in Edinburgh, and sex myllis ther abowtt, and to the nixt counfall day, which happinis the fyft off November, to presentt wnto ther Lordhippis the holl of the committeris, save on, off the ryatte done to Muchall, or ellis presentlie to enter my selff in presone in the tolbowth off Edinburgh: and becaufe off the impossabelitie

\* Autograph of Lord Melros.

of my gettinge off surretie to bringe in thois men, for no freind wold be cautione for me in thatt, in respect the holl men ar fled the cuntrie; wherfor I am compelled to except off the fecund, to go my self, wher I miserabilie remaine preffonar in the Tolbowth off Edinburgh, ewer to your maiesties gracijs favore appeere to my releive, wheroff the rather I assure my self, for that your maiestie heath bein graciousslie pleased, at Okeine, in Appryll last, royallie to favore me with the promise off a frea pardone off all: and whatt I hawe suffered since, in my owin persone and my freindis, is knowin to manie, and will nott now trubill your maiesties earis therwith; only my earnist wishtis and contenvall prayer to God Almighty is, and shalbe, for your majesties longe and happie reine, and I am ewer

Your Majesties humble, loyall, and obediand  
subjeſt,

S<sup>a</sup>. W. KEYTHE.

Tolbouthe off Edinburgh, 9 off October 1622.

To his most gratius and dread Souerane,  
the Kingis most excellent Majestie.

Indorfed:

Ludquhairne, 9 Octobris 1622.

CCLXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING beene oft petitioned, on the behalff of Frances Keythe, who, be your maiesteis directioun, wes fend heir in the moneth of Junij last, and hes beene prisionair in the towbuithe of Edinburgh senfyne, that outhier he might be putt to his tryall vpoun the crymes, for quhilkis, he wes

wardit, or then fred vpoun cautioun, conforme to the order, we deferred to gif anfuere to his petitionis, till the knowlege of your maiesteis pleasour, becaus we never hard frome youre maiestie concerning that mater, and nather knew the caus of his imprisonment, nor who wes his partie. Bot he hauing still importuned ws with his petitionis, quhairin he euer instantlie vrged his tryall, and we finding that sen his heir comeing, thair hes nather a pairtie kythed, nor no perfute nor actioun intentit aganis him; and confidering thairwithall that he wes a poore gentleman, wanting meanis to interteny him selff in warde, it wes thought, be the whole voeais of all these of the counsell that wer present, that in a mater of this kynd, quhair thair wes nouthir a knowne perfute nor pairtye, that the benefeit of the law could not be denyit vnto him. And thairfor he is put to libertie, vpon cautioun for his remaning and keeping of warde within the burgh of Edinburgh and the Cannogait, till he be fred. Yf we had knowne that youre maiestie had ony entres in the busynes, we wald not haif medlit thairin, without your maiesties allowance; and thairfor we will craue permissioun humelie to intreate your maiestie, that in occurrentis of this kynd heirefter, quhan pairtyis ar send home or wardit be youre maiesteis directioun, that youre maiestie wilbe gratiousslie pleased to latt ws knowe yf youre maiestie hes your awne particulair interes in the mater, or yf it concernis priuat pairtyis, to the end, that in the one we may attend youre gracious will and pleasour, and in the other we may proceede sofar as the course of law and iustice will allow. And humelie craueing youre maiesties pardoun for this oure presumptioun, and praying God to blisse your maiestie with mony lang and happie yeiris, we rest

Yourre Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
MORTON.

J. HAMILTON.  
R. COKBURNE.  
ARCHIBALD NAPER.

GEO. ARESKYN.  
W. OLIPHANT.

Edinburgh, 21 Nouember 1622.

To the King his most sacred and excellent Maiestie.

CCLXXXIII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIUED your lordships letter of the second, for the busines of Orknay. There could not haue been a more fit occasion to know the reasons of the counfels proceedings, nor when my lord Chancelar wes with his maiestie; but in that, as in all other occurring affaires, I fall strue to be with the first, in promouing all his maiesties royall commandements.

I haue also assured Sir James Bailie, that when it fall be time to wourk in Baffis busines, I fall concurre as if it were for my self.

Maister Walter Whytfoord wes on Tyfday in this towne. I haue fend to seeke him, and if he can be found, I fall make him to speake with the vicount of Air and Sir James Bailie.

I haue inquired of Lochinvars dyet at his sone, who is come to this towne; he expects his fathers coming within thrie or four dayes, and when Harbert Maxuell comes, the mater fall be vrged to an end.

The vicount of Air\* hes promised to vse diligence for perfyting the securities betuix your lordship and the earle of Niddifdaill.

Your lordships affaires with the earle of Bukcleugh are fettled.

I must evrie yeare once trouble your lordship with the remembrance of that token, which his maiestie hes been graciousslie pleased to bestow, as a bontifull acceptance of my seruice, which fall euer be faithfull and diligent, and my duetie to your lordship fall be vchangeable, as becometh

Your Lordships affectionat freind to serue yow,

MELROS.

Edinburgh, 11 December [1622?]

\* Lord Sanquhar, created Viscount of Ayr 2d February 1622.

Sir Archibald and Sir Alexander Naper can testifie my readines in the bufines concerning my lord and lady Ogiluies; and when the mater comes to dealing, if he apply not himself to reason, I fall leaue him to the blame and burding of his owne aëtions.

To my verie honorable good Lord, my  
Lord Vicount of Annand, at Court.

CCLXXXIV.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

RIGHT HONORABLE,

YOUR lordship shall be aduertissed, that he quho is presentlie Justice Clerc (the lard of Ormiston), is so afflicted with extreame aage, blindnes, and vther infirmities, that he is altogether disnabled ather to valk abrod or discharge his place, and by all appearance, is not long to survive. And becawse it concernis me so neir, that seruis his majestie, as Justice deput, to be vell or ewall ȝoked, incace it plais God that I liwe, I hawe aduentured thir few lynis, being confident of your lordschips goodnes, that his majestie, by your lordschips information, micht be the better prepared againis the importunitie of vnfit futors for that place (of Justice Clerc), quhich aucht not to be giwen to thois that sutt it, bot to thois that ar vorthie of it. And as the lywis of men ar mor pretious then thair goods, so lett the vorthines of him be respected, to quhome the lywis of men ar to be trusted; for if he, quho is to be inclofed with allysors (quho for the most part ar rud and ignorant), depending much vpon the clerc his information; if he, I say, be not a found conscientious man, and frie of baife briberie, he may prowé a pernicious instrument, and be the cawse that iniquitie may be committed, as we haw ȝit in memorie of on Thomas Scot of Abbotishall, quho was Justice Clerc to King James the fyft, of happie memorie, quho, being stricken with a terror of conscience,

at the hour of his death, for his ewill cariage in that place, dyed in depARATION, crying, "I am damned, I am damned." Ȝit among all vtheris, young men, and men of great claimis, ar moft dangerous for that place.\* Ceafeing farther to fafche your lordships eares, and referring all to your lordships prudence, viffing that, by a happie election of fuch ane officiar, God may gett glorie, his majestie contentment, and the people securitie, by getting right quhen thair lywis fhall be in queftion, and your lordfchip praife and thankis for being a good inftument. Thus, refting confident that your lordfchip will tak my boldnes in good part, I reft

Your Lordfhips affectioned and  
humble fervitour,

AL. COLVILLE.

Edinburgh, 20 December 1622.

To the right honorable his fpeciall  
good Lord, my Lord Vicount of  
Annan.

CCLXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE earle of Melros, youre maieftieis fecretarie, exhibite this day vnto youre maieftieis counfell ane lettre, writtin be youre maieftie vnto him, quhairby youre maieftie fand fault that thair wes not ane finall

\* Sir John Cockburn of Ormiston did not die till the month of June in the ensuing year. He was fucceeded as Justice Clerk by Sir Archibald Napier, the first Lord Napier.

anfuer returnit vnto youre maiestie, concerning the propositioun maid be youre maiestie, that the woll of this kingdome, not draiped and wrought at home, might be fend to England and fauld thair, and no where els; and thairfoir desiring that this anfuer might with diligence be fend vnto youre maiestie. We ar forie that youre maiestie hes tane offence for this caus, seeing thair wes nothing omittit be ws, that in a mater of this kynd, wherin the whole estate hes fuche intereffe, could conuenientlie be done; ffor, vpoun the refett of youre maiesteis first lettre, in the moneth of September last, we write for a number of noblemen, baronis, and burgeffis, whome we thought to haue cheif intereffe in the busynes, willing thame to be heir vpoun the 28 day of Nouember last, to haue gevin thair aduife and opinioun to ws thairanent. Whilk dyet being keepit be some, and neglectit be otheris, the few number that conuenit excusit thame selffis, that thay could do no thing thairin, pretending that the importance of the mater, towcheing so neirly the whole bodie of the estate, requirit a more frequent meeting of some speciall perfonis for euerie estate, oute of the feuerall thyris of this kingdome, where the vse of woll is most in requeist. And so that dyet haueing desertit, without ony certane conclusioun or resolution, thair wes a secund meeting appointit to be heir at Edinburgh, vpoun the xiiij of this instant, and a grite number of perfonis oute of the feuerall thyris of this kingdome wer writtin for to this effect. This dyet hes beene weele kept be all these that wer writtin for (some three or foure onlie except), and thay ar all presentlie attending, and hes thair meetingis and conference euerye day vpoun this subiect, and hes promeist to gif thair anfuer and opinioun thairanent, with the ressonis and warrandis of thair opinionis vnto ws, vpoun Twisday nixt, the xxi of this instant; vnto whilk tyme we will humelie beseeke youre maiestie to haif patience, and not to imput the caus of this delay vnto ws, who, in a mater of this kynd, conioyned with the publict intereffe of the estate, could vse no gritair diligence; and vpoun Twisday, God willing, quhen the reporte of thair opinionis is maid vnto ws, youre maiestie salbe fullie acquentit with the progres of the busynes, wherin no thing salbe wanting in ws quibilk may procure youre maiesteis full contentment and satisfactioun. And so,



praying the Almighty God to preferue and blisse youre maiestie with  
the continewance of mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.

MELROS.

MORTON.

LAUDERDAILL.

ROXBURGHE.

CARNEGIE.

W. OLIPHANT.

Edinburgh, the xvi day of Januair 1623.

To the King his most sacred and  
excellent Maieftie.

CCLXXXVL—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your Lordships tuo letters of the nynt, and deliuered  
in Sir James Bailies owne hand, your other tuo sent to him, as ye desired;  
and being vrged by Alexander Maxuell to haste two maffes of letters to  
the Earle of Niddisdail, I haue aduertifed Sir James Bailie therof, that  
if your Lordships letters requyre speedie anfuer, he may make vse of the  
occasion. My lord of Santandrois had from me the like aduertifment,  
who hes promised to write. I haue not yet heard of Harbert Maxuels  
coming to this cuntry, to which time no thing can be done in Lochinvars  
busines. I will not repeate what I wrote in my former letters, nor say any  
farder in the mater of the greevances, but remit it to tryell of oure mans  
behaiuour therin, wishing no greater happines to my self in maters of that  
kynd, but that evrie mans cariage were truelie related to his maieftie,

being refolued to studie fo to proceed, that I may be anfuerable to God and his maieftie, of my faithfull intention and endeouours, in maters concerning his maiefties feruice, the good of the cuntrie, and the lawfull contentment of particular parties, who, having contrare ends and interefts, can not be all pleafed; and many of them, being difapointed of their vniuft defires, vent their malice by mifinformations and calumnies, but honeft men muft reft vpon honeft doings, and his maiefties wifdome and protection, and befeech God long to grant them that fheild, as I pray that he may giue yow health and happines, I reft

Your Lordships affectionat friend  
to ferue yow,

MELROS.

Edinburgh, 21 Januar [1623?]

To my verie honorable good Lord,  
my Lord Vicount of Annand,  
at Court.

CCLXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refcate of youre maiefteis lettres, of the xvij of December laft, whiche come to oure handis vpoun the fecund of this inflant in tyme of vacance, whareby youre maieftie wes pleafed to fett down to ws a cleir reule how we fould deale betuix the Dunkirk and Holland fhippis, lyand at Leethe and Abirdeene, to wit, that the prifoners in the Dunkirk fhippe at Leethe fould be releueed, vpoun affurance to be gevin be the Hollanders, not to trouble thame in their voyage home,

fo many of ws as wer in the towne conuenit, and fend for the baillies of Edinburgh, as the perfonis whome we thocht fitteft to imploy in that buſſynes, and direēt it thame to go to Leethe, and deale with the captaine of the Dunkirkair, that he wald releue his priſonnaris, vpoun the condition and aſſurance foirſaid. Whilk charge being performed be the baillies, thay returnit ws this anſuer, that the captaine could not deale nor capitulat vpoun theſe termes, without a warrand and direēt ioun frome the King of Spayne, his maiſter, of whome he had a ſpeciall charge to tak, bot not to delyuer priſonnaris, without ranſom. And ſo that point haueing failed, vpoun the refuſaill of the Dunkirkair, we thocht it needles to propone the other to the Hollandars, bot direēt chargeis, with ane herauld and trumpett, aganis thame, for delyuerie of thair ſaillis to one of the baillies of Edinburgh within xxiiij houris, vnder the pane of youre maieſteis heigh offence and diſpleaſour, to the intent the Dunkirkair, conforme to the cuſtome of nationis, might haif the preuilege of tua tydis for hir faulſ outgoing. This charge being execute, and with all due reſpect acceptit be the captaines of the waughtaris, thay promeiſt to gif anſuer within the tyme appointit for thair obedience; aſoir the ex-pyreing whereof, thay, for a ſhowe of obedience, went oute of the harborie to the raid, where thay lay till the xviiij of this inſtant, vpoun whilk day, one of thame returnit to the harborie, quhair ſho preſentlie lyeis, and the other lyeis ſtill at anker in the raid. The lyke charge being execute aganis the captaines of the waughtaris at Abirdeene, by ane herauld, with his diſplayed cott of armes, the captaine of the principall ſhippe, callit the Admirall, gaif his anſuer, that he wes preſentlie in reddynes to go to the ſea, and that he intendit to wey and go out of the harborie the nixt tyde, wind and wedder ſeruing, and to mak his addreſſe to Zeland with diligence, and ſo he could not delyuer his ſaillis. The other tua captaines anſuerit, that thay wer direēt it heir be thair maiſter the Prince of Orange, to attend the Spaniſhe ſhip, that wes thair enemy, and wes putt furthe to wrak and ſpoyll thair marcheantis, and that thay durſt not, vnder no les pane than thair liues, delyuer thair ſaillis, nor no other part of thair ſhippis, without a warrand frome the prince thair maiſter, vnto whome the ſhippis, with thair whole furnitur, apperteyned. This being

the effect and substance of all thair answeris, we humelie present the fame to youre maiesteis confideratioun; and quhat forder youre maiestie will haif to be done heirin, vpoun the signification of youre maiesteis will and pleafour, it falbe obeyit. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reigne, we rest

Your Maieftis most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.

A. MAR.

GLENCAIRNE.

ROXBURGH.

BUCCLEUCHE.

MELROS.

LAUDERDAILL.

LOTHIANE.

W. OLIPHANT.

J. ERSKYNE.

Edinburgh, 23 January 1623.

To the King his most sacred and  
excellent Maieftie.

CCLXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFTER the refeate of your maiesties lettre anent the woll, haueing, by oure formair of the xij of October last, humelie presented vnto youre maiesties princelie confideratioun, the reffonis induceing vs to delay the sending of commiffionars to Lundone, for that purpois, till first we wer aduifit thairanent with some perfonis for euerie estate, who, in a mater of this kynd, wherin thair interesse wes so important, could not be ouerfeene, your maieftie wes gratiouflic pleased to allow of that shorte delay of tyme, whilk wes onlie to the 28 of Nouember last, wherunto a number of perfonis for euerie estate wer warnit to be present, of whome some haueing kept the dyet, and otheris being absent, and the mater being proponned

to these that conuenit, with the best argumentis we could vse to procure your maiesties satisfactioun, thay, after some reasoning and conference amangs thame selfis, returnit ws answer, that the importance and consequence of the mater towcheing so neirlye the whole bodie of the estate, bothe in substaunce and consequence, required a more frequent meeting of the estateis frome the feuerall flyris of this kingdome, where the trade and handling with woll is most vsfull; wherupoun thair wes a new dyet appointit to the xiiij of this instant, and weele kept be all these that [wer] written for (some three or foure onlie except, who, vpoun necessair occasionis, wer excused); and your maiesteis propositioun and desire being at grite lenthe oppymed vp vnto thame, and bakkit with such rellonis, as, in oure opinioonis, wer most aggreable to youre maiesteis intentionis, and thair request to be permittit to meete amangs thame selfis, and to confer and reafoun thairupoun, being granted, thay verie cairfullie and panefullie attendit that charge, and twyse euerie day had their meetings, sometymes in publiēt, and other tymes euerie estate be thame selfis, and the more thay dipped in the busines, finding more difficultis and griter inconuenientis to ensue, thay humelie desirrit some three or foure dayis longer continewation to be aduyfed thairwith; whiche being also granted vnto thame, and that tyme being lykewayes diligentlie spent vpoun this subiect, in end, thay gaif in thair rellonis, in write, of the inconuenience of that propositioun, groundit vpoun the sensible and ineuitable euillis that it will produce, alsueele to the nobilitie and burrowis, as to the poore commonis, and labourars of the ground, who, by this occasioun, will not onlie be forced to cast thair rowmes in thair maisters handis, wherethrow thay wilbe depriued of the meanis and possibilitie how to liue and to manteyne thair poore families, bot, with that, thay wilbe turned beggairs, and so become ane havy burdyne to the cuntrey, especialie at this tyme, when the whole land is more fearfullie threatned with extreame penurie and want of victuall, nor in ony other bipast yearis of oure memorie; and whilk is worfe, the cuntrey wilbe far waikned and spoylled of a great number of goode subiectis, who, bothe with thair personis and pursis, wer formarlie contributaris in the publiēt affaires of the estate; and it is weele knowne that the verie first brute and rumour of this intendit restreante, hes alreddie gevin prooffe of this inconuenient, in the personis of diuers

tennentis, who, vpoun this occasioun, hes gevin ouer thair rowmes, or forced thair maisters to diminishe thair rentis; als more particularlie youre maiestie will perfaue by the copie of thair ressonis, whilk we haif heirwith fend vnto youre maiestie. Quhilkis ressonis being at lenthe hard and confiderit at the counsell table, and euery point and article thairof, with the groundis and warrandis of the same, being narrowlie examined and difficult, we, in oure waik iudgement, fand the ressonis to be so pregnant, and the inconuenientis so cleir and manifest, as hardlie could we mak ony obiection thairunto, bot ar constrayned humelie to craue permissioun to represent the same vnto your maiesties heigh and excellent iudgement, by whose vn-speakable wisdome, and cleir seing iudgement, the mistereyis and doubtis that ar conceaued vpoun this subiect may be visibillie discouerit, and your maiesties subiectis, who, vpoun the apprehensioun of this intendit restraint, ar generallie towched with extreame feare and greif for the effectis of so dangerous a propositioun, may in some meafour ressaue satisfactioun; for we wilbe bauld to assure your maiestie, that the feare wherewith all men ar generallie posselt in this mater is so extreame, that the lyke hes not occurrit thir mony yeiris ago in this kingdome. And yf we wald pre-foome be oure sellis, without the consent of the esteatis, to fend commissiouners to treate and conclude vpoun this subiect, without ony respect to thame, whiche, neuirtheles, yf so your maiestie be pleased absolutlie to command, we will humelie obey, we must beg pardoun to declair, that we sie euidentlie, that we shall incur the sclander and generall haitrent of the whole cuntrey, as consentaris to that vniuersall harme, whiche, thay ar persuaudit, is maid vndeniable manifest to euery one of ws be thair discourfes and thair articlis in write. We ar not ignorant that your maiestie, by your royall power and prerogatiue, may command that to be done whiche, out of your gracious respect to this your natie cuntrey, yow haue beene pleased rather to suspend, till your maiestie wer informed of the opinionis and reasonis of your faithfull people; and yf thay, being now insinuated to your maiestie, do not appeir sufficient, oure submisfe aduyce is, that your maiestie might rather be pleased to signifie to ws the meanes whereby the courfe of sole transporting of all oure wolls, not draped in this kingdome to England, may be showane to oure people not to tend to that irreparable losse whiche thay vehementlie apprehend, nor to inioyne a preceis

and preſent performance of the deſire of oure nighbour cuntries, that oure people, being thairby cleired of thair miſtaking, and freed of thair ſo extreame feare of infinite prejudice, may by reaſon be convinced of thair errors, and inducit to a hairtye obedience. To ſend commiſſioners to treat, caryeing a reſolution not to conclude, appeiris more likelie to croſſe the buſſynes and offend the partyis, nor to bring it to any goode concluſioun; uather expect we, that any commiſſionars to be ſent, will vndertak the charge, with intention to excede the particular inſtruſtionis to be gevin to thame, not thinking thame ſelffis capable to furneiſ replyis beyond the informationis gevin to thame. Laſt, yf the purpoſ it ſelf wer more indifferent and les dangerous nor it appeiris, no tyme could be choſin fo vnfit for treating of it as the preſent, quhill we ar ſo deſtitute of victuall of oure awne, and moneyis to buy the forayne; and thairfoir, albeit your maieſtie think the mater probable, the tyme, in oure weak iudgment, appears extreamelie vnſitt. All whiche we muſt humelie ſubmitt to your maieſties moſt excellent iudgement, onlie requeiſting that your maieſtie wilbe gratiouſlie pleaſed to accept in goode part oure faithfull endevoiris heirin, wherein no thing wes omittit be ws whiche to the duetie of goode and faithfull ſeruandis apperteyned. And ſo, praying the Almighty to watche oure and proteſt youre ſacred perſone, and to bliſſe your maieſtie with mony lang and happie yeiris, we reſt for euer

Your Maieſties moſt humble and obedient  
ſubieſtis and ſeruitouris,

GEORGE HAY.  
ROXBURGH.  
MELUILL.  
A. MAR.  
MELROS.

CARNEGIE.  
GLENCAIRNE.  
BUCCLEUCHE.  
W. OLIPHANT.  
LOTHIANE.

LAUDERDAILL.  
CRANSTOUNE.  
J. ERSKYNE.  
AR. NAPER.

Edinburgh, 23 January 1623.

To the King his moſt ſacred and  
excellent Maieſtie.

CCLXXXIX.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

BECAUS I haue been ane ey witnes to Maister Thomas Nicolsons kind readines to take burding in your lordships affaires, when the earle of Winton and others, of great place and respect, were parties, or had interes in the contrare, I think it my dutie to remember it when his affaires requires your lordships help, as now ane particular concerning the heritable gift of postmaister at Cokbrunspeth offers occasion. The only obiection that is made, is his maiesties vvwillingnes to make heritable offices; but he seekes no office, but only a seruice, without pouer, or iurisdiction, or commandement, wherby he and his aires will be subiect to serue his maiestie and his subiects. When I dailie find the preiudice of his maiesties seruice by the defaults of postmaisters, I wish that all the stages in Scotland and England were assured of seruice by such men as he is; for when I regrate or compleane of the postes faults, I am forced to desist, when I heare that, wanting there pay, and not having meanes of there awne, there pouertie must be accepted for excuse, which his sute will remoue for that stage, and procure assurance of good seruice to his maiestie for his part. All his benefite will be to frie his tennents duelling there, from the danger of oppression of powerfull nighbours; and since I haue knowne much of his affection to do your lordship heartie seruice, I will pray your lordship let him find the frutes of your lordships goodwill in this particular, as an earnest of the like fauour, when he shall haue a better turne to do. So, wishing your lordship all happines, I rest

Your Lordships faithfull friend to serue yow,

MELROS.

Edinburgh, 25 Januar. [1623?]

To my verie honorable Lord, my Lord  
Vicount of Annand, at Court.



## CCXC.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I HAUE receiued your lordships letter, concerning onlie your lordships lands of Theruik, and your decreit aganis Capten Johnston, wherof I haue spoken to Maister Thomas Hope, who hes promised to sie the estate therof, and profecute the order, as also that he fall compeir in any action that may concerne these lands, to the effect your lordship may be secure by your owne rights, and be frie of any other mans danger or courtellie therin. I know the thesaurar depute and aduocat will assuredlie obey his maiesties command in the action wherof your lordship writes, and I fall discharge the dutie I owe for his maiesties interest, and your lordships, to my power.

I haue heard that my lady Rofs, elder, hes dealt with Robert Home to befriend her in the blok of Bagone, and promised to be thankfull to him if sho prévaile in it. I am also informed, that the reuerfion is not so expyred but that Bas, or others having right for him, may get it supplied and made valide; which I haue thought fit to aduertife according to my dutie, which fall make me euer to remaine

Your Lordships affectionat freind to serue yow,

MELROS.

Edinburgh, 30 Januar. [1623?]

To my verie honorable good Lord, my  
Lord Vicount of Annand, at Court.

## CCXCI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

MAISTER Thomas Hope hauing told me that he would perfew your emoving, but if the improbation concerned your lands, he could not serue yow in that caufe, be reafon he wes employed by the other partie to make his fecurities, and to forme his fummonds of improbation, which cannot permit him of dutie to refufe to affift him, whervpon I willed fir James Bailie to deale with Mr Thomas Nicolfon, and, if he haue any lafull excufe, fome other of beft fort will be employed. I beleeeue that the thefaurar depute and aduocat will do their dutie, as they are commanded by his maiefties letter. Sir James Bailie told me, that Mr John Pape had offered to affigne to your lordship his compyryng and right of Bafs his lands, vpon reasonable condicions; wherein my opinion is, that if your lordship find Bafs willing to bargaine fairelie with your lordship, ye embrace not any offer of this kynd to fkarre him; but if your lordship find in him either vnwillingnes or fhifting delayes, withowt hope of reall dealing vpon his part, ye may remit to your friends and lawers the confideration of the fecuritie which may be had of thefe lands, if ye haue ane intention to purchafe them, by whatfoeuer lafull meanes may be offered. And fo, if your lordship be out of hope to fettle with Bas, and defire other meanes to attaine to the bargane, none can feeme fo fit as to agrie with the compyrfars and others, who haue good wodfets; which I remit to your lordships confideration, and vpon knowledge of your lordships refolution, I fall giue all the affiftance that can fall in the power of

Your loveing affectionat friend to ferue yow,

MELROS.

Edinburgh, 6 Februar [1623?]

After wryting heirow, I haue receiued from Mr John Olifant the bukkins and gloues, wherby your lordship hes armed me against the extraordinar cold of this feafon, which obliſes me to imploy hands, feet, and heart and all, to performe your lordships commandments.

To my verie honorable good Lord,  
my Lord Vicount of Annand,  
at Court.

## CCXCII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to your maieſties directioun of the xiiij of Januair laſt, the captanes of the Dunkirk and Holland ſhippis, lyand at Leethe and Abirdeene, being chargeit to the xj of this inſtant, the buſſynes wes conuayed and caryed with fuche ſecrecie, as nane of ws, bot theſe whom your maieſtie truſted thairwith, knew of the ſame, till it wes brought to the counfell table, quhen the pairtyis wer to gif thair compeirance. The Dunkirk captanes kepted the dyet; the Holland captanes at Abirdene fend thair excuſe in write in the Flemis language, the copie quhairof, treulie tranſlated (althoght vnworthie of your maieſties fight), we haif heirwith fend vnto your maieſtie. One of the Holland captanes at Leethe compeirit lykewayes, whoſe ſhip lyes in the harborie, and he excuſit the abſence of his collig, who is his admirall, and lyes in the raid, be reſſoun of ſeeknes. We firſt delt with the Dunkirk captanes, and proponned vnto thame your maieſties ouertour anent the ſuretie of thair depairtour and preuilege of tua tydis, vpoun condition of delyuerie of thair priſonner, quhairunto thay acquieſceit. Thairefter we maid this ſame propoſitioun to the Hol-

land captane, whilk, we enforced with fuche reſſonis, as we thocht fitteſt to cleir your maieſties doings, to be agreeable to iuſtice, and to theſe reſpectiue dewteis of honnour and correſpondence whiche your maieſtie indifferentlie keepis with all your freindis and confederatis, and whereunto the cuſtome of nationis in materis of this kynd dois anſuer. His firſt obiection wes anent the ranſom of the priſonnars alreddy releued, alleging that no thing ſould be procedit in this buſſynes till theſe ranſoms wer repayit; and one David Jonkeene, marcheant in this toun, who advanceit the ranſoms, and hes a procuratorie for repetitioun of the ſame, producit three bandis, vnder the ſignett of Peter Vanverrane, captane of the Dunkirk ſhip at Leethe, propoſing, that yf your maieſtie ſould ſend ony aduiſe or direction anent the releif of the priſonnars, or ony of thame, that he ſould pay bak the whole ranſoms. Thir bandis being ſhowne vnto the captane, and the performance of thame instantlie vrgeit, he acknowlegeit the bandis to be his awne, bot declynnit the redelyuerie of the ranſoms without a warrand frome the Infanta, or the Spaniſhe ambaffadour, reſident with your maieſtie: whilk being propoſed be ws to the Holland captane, and he vrged with a preſent anſuer of obedience or refuſall, he excuſit him ſelf vpoun the abſence and ſeeknes of his admirall, lyand in the raid, and deſirit xxiiij houris continewatioun to be conſultit and aduiſed with him thairanent, promiſſing that thay ſould bothe come and gif thair anſuer (yf the healthe of the admirall wald permitt). This ſhorthe delay being grantit, and the dyet kept be the captane, he maid his formair excuſe vpoun the ſeeknes of his admirall, and ſtill inſiſted vpoun that point anent the ranſoms; wherupoun, he being demandit yf he and his admirall, and thair colligis at Abirdeene, wald gif obedience incais the priſonner wer releued, and the ranſoms payit bak, and quhat affurance thay wald gif for that effect, he declynned the geving of ane preſent anſuer, and deſirit a note of the propoſitioun in write, to the end he might communicat the ſame to his admirall, and be aduiſit with him thairanent, promiſſing to gif anſwer vpoun the morne thairefter; in whilk point being lykewayes ſatiſfeit, and no forder delay being expectit, he returnit ws this

anſuer, that thay durſt not medle in that mater without the aduiſe of thair colligis at Abirdeene, who had equall intereſſe with thame in the buſſynes, and thay promeiſt to reporte a direct anſuer, bothe from thair colligis at Abirdeene and for thame ſelfſis, vpoun the xxv of this inſtant. Whereupoun, we haueing enterit in conſideratioun quhat wes nixt to be done, and haueing reſpect thairwithall to your maieſties princelie command and directioun, the eſſectuating wherof to your maieſties honnour and credite of the cuntrey wes earneſtly wiſhed be ws, yitt, we could not ſoirſee how the ſucces could prove anſuerable to your maieſties contentment; ffor yf we had arreſted this one captane who gaif his compeirance, his admirall, who is lying in the raid, and who is ſtronger and more pouerfull nor he bothe in men and munition, and thair colligis at Abirdeene being loſe and free, the detentioun of him wald in no caſe haif inſured the tua Dunkirkars, nor maid thair departour frome henſe free and peceable: and it is lyke anough, that vpoun this occaſioun the ſhippis of this cuntrey, who ar bothe ritche, and mony of thame oft tymes in the Lowe Cuntreyis, wald haif vnderlyne ſome trouble, it being weeke knowne that one of our ſhippis that tradis in Flanders is worthe foure of the beſt Holland ſhippis that comes heir; and we haueing foundit the opinioun of the baillies of Edinburgh, anent the executioun of that point of your maieſties directioun whilk concernit thame, thay pretendit bothe difficultie and dangeir in the mater, and hardlie wald thay haif bene induceit to vndertak ſuche a charge. The conſideratioun wherof moued ws to yeild to the ſaid continewatioun till the xxv of this inſtant, and we haif ſend new chargeis to the Holland captanes at Abirdeene to keepe this dyet, with a directioun to the magiſtrates of Abirdeene to cauſe this charge be execute, and the ſubſtance of the ſame to be delyuerit to the captanes in thair awne language, that thairby no new friuolous excuſe be pretendit vpoun that occaſioun. And ſo, humelie beſeeeking your maieſtie to accept in goode pairt our ſimple endeuoiris in this buſſynes, wherin the tender regaird of your maieſties honnour, the credite of the cuntrey, and the difficultyis to bring your maieſties directioun to the wiſhed end, wes the onlic cauſe induceing ws to this con-

tinewatioun. We pray God lang to preferue your maiestie in healthe and happynes, and we rest for euer

Your Maiesties most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
R. COKBURNE.  
J. HAMILTON.  
A. MAR.  
LAUDERDAILL.

W. OLIPHANT.  
A. HAMILTON.  
ROXBURGH.  
CARNEGIE.  
KILSAYTH.  
J. ERSKYNE.

Edinburgh, xv February 1623.

To the King his most sacred and  
excellent Maiestie.

CCXCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By youre maiesteis lettres of the fyft, whilk come to oure handis the xij of this instant, we perfaue, to oure exceiding grite greiff, that youre maiestie hes tane offence at the delay of sending vp commissiounaris

to treate vpoun the mater of the woll, fo cairfullie recommendit be youre maiestie vnto ws; and oure regrait is fo mutche the gritare, that the sinceritie of oure most faithfull and humble affection to youre maiesteis seruice, hes not produceit the effectis wished be ws, of youre maiesteis gracious acceptatioun, according to oure sincere intentionis, onlie respecting youre maiesteis honnour and goode of oure cuntrie, wherein the monyfauld proofis of youre maiesteis faderlie cair, ever watcheing and prouyding for the happynes of this estate, assuris ws that youre maiestie will ever accept gratiousslie all that tendis to the fame, and vindicat ws frome the haitfull conceitioun of ony course tending to the contrarie. And we will humelic beg pardon to protest vnto youre maiestie, that thair never enterit ony fuche disloyall thoughtis in oure haitis, as myght infer ony suspitioun of youre maiesteis neglect thair of, oure awne conscienceis beareing ws witnes, that yf we had offendit in that kynd, oure erreure had bene bothe wittinglie and willinglie, aganis the light of oure knowlege; nather did we absolutlie refuse to fend vp commissiouners, bot, in all submissiue reuerence, represented vnto youre maiestie the feare and greewis of youre maiesteis subiectis, and oure simple opinionis how thair mistaking and feare might be obuiat and cleired by youre maiesteis cleir and excellent iudgement, that thairby, thay might with reasoun haif bene induceit to a more hairty and willing obedience: offering oure selfis neuirtheles redde, be oure lettre of the 23 of Januair last, to gif youre maiestie contentment, by making choise of commissiouners for the said treatie, vpoun the first retorne of youre maiesteis pleasour; lyke as, how soone youre maiesteis lettre come to oure handis, we maid choise of the duke of Lennox, the marques of Hamiltoun, the earlis of Kellie and Carlile, with the laird of Balvaird, and Mr Johnne Hay, to treate of this busynes. The last tua will, God willing, begin thair iornay within eyght dayes, and will mak fuche diligence thairin as possiblie thay may. And so, most humelic befeeking youre maiestie to haif a gracious and fauourable consideratioun of oure proceedingis, and of the sinceritie of oure affectionis to youre maiesteis obedience, whose contentment, in euery thing belonging to ws, and to the truste that youre maiestie hes reposed of youre affairis in ws, is more



pretious and deir vnto ws nor ony thing els, we pray the Almightye God to  
blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Your Maiesteis most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
R. COKBURNE.  
A. HAMILTON.  
A. MAR.  
LAUDERDAILL.  
W. OLIPHANT.

J. HAMILTON.  
CARNEGIE.  
KILSAYTH.  
ROXBURGHE.  
J. ERSKYNE.  
MELUILL.

Edinburgh, 15 February 1623.

To the King his most sacred and  
excellent Maieftie.

CCXCIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiesteis directioun, we had maister Williame  
Kellie befor ws, and earnestlie delt with him to make surrender of these  
landis boght be him frome the earle of Huldernes, and quhilkis youre  
maiestie gifted to the said earle, in remembrance of that worthie seruice  
done be him in the treasoun of Gourye; and we shew vnto the said maister  
Williame, that youre maiesteis purpois, and the intentioun and meaneing  
of youre esteatis, in the granting of these landis to the said earle, wes, that  
the same shuld haif remanit with him and his posteritie, as a pledge and



taikine of your maieſteis bontie and fauour for ſo notable a ſeruice : bot feeing now the ſaid earle had diſponit the ſaidis landis fra him and his poſteritie, ſua that the remembrance of youre maieſteis princelie bontie in that mater ceaſſis, youre maieſtie had verie goode reaſoun, in honnour and iuſtice, to returne to youre awne landis (paying to the ſaid maifter Wil- liame the ſowme that he gaif for thame); and we haueing vrged him with a preſent anſwer, he declairit that he wald fend his anſwer to the ſaid earle of Huldernes, fra whome he doubteth not bot youre maieſtie will reſſaue ſatiſſaſtioun. And ſo, praying the Almighty God to bliſſe your maieſtie with a lang and happie reigne, we reſt for euer

Your Maieſteis moſt humble and obedyent  
ſubieſtis and ſeruitouris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.

Edinburgh, xv February 1623.

To the King his moſt ſacred and excellent  
Maieſtie.

CCXCV.—THE LORDS OF PRIVY CO UNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THIS nobleman, the Lord Coluill, haueing a purpois to go to France, and be the way to kiſſe your maieſteis hand, for ſolliciting the reeſtabliſheing and ereſtioun of the Scottiſhe gaird and Scottiſhe compa- nie of men at armes, according to thair firſt inſtitutioun, and the Franſhe king his promeis of tymes made to that effect, the ſaid lord, for the

better advancement of the buffynes, hes maid earnist fute vnto ws, that we wald not onlie recommend him and this his honorable purpois vnto your maiestie, bot thairwithall that we wald intreate your maiestie to accompanie him with your awne lettre to the Franke king for the furtherance of the mater. We haueing at lenthe hard him vpoun this subiect, and acknowlegeing his generous dispositioun and tender respect to the credite of his natie cuntry, and preferuatioun of the preuilegis of the fame, for procureing whereof, he weyreis not now, in his auld aige, to vndertak so lang and dangerous a iornay, we all allowit of his motioun, and will prefoome humelie to recommend him to your maiesties gracious and fauourable acceptance, and will crave permissioun to intreate your maiestie, that, after conference with him self vpoun the probabilitie and likliehode of this his purpois, your maiestie wilbe pleased to accompanie him with fuche lettres to the Franke king, as your maiestie, in the excellencie of your princelie wisdom, shall holde fitting; and we ar persuadit thair wilbe no thing wanting in the nobleman, whereby his trauellis and endevoirs in this mater may bring the fame to a goode conclusioun. And so, with the continuuance of oure vncessant prayars vnto God for your maiesteis lang and happy reigne, we rest for ever

Your Maiesteis most humble and obedient  
subiectis and seruitoris,

GEORGE HAY.  
MELROS.  
J. HAMILTON.  
A. MAR.  
LAUDERDAILL.  
A. HAMILTON.

W. OLIPHANT  
CARNEGIE.  
ROXBURGHE.  
MELUILL.  
KILSAYTH.

Edinburgh, 20 February 1623.

To the King his most sacred and  
excellent Maiestie.

## CCXCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING by oure formar lettre, of the xv of this instant, acquentit youre maiestie, that we had maid choise of the Duke of Lennox, the Marques of Hamilton, the Earlis of Kellie and Carlile, and of the beararis heirof, the Laird of Balvaird and Maister Johne Hay, for the treatie anent the mater of the woll, we layed this charge so hardlie vpoun thir tua last perfonis, and vrged thame with the necessitie of fuche a quick and speedie depairtour, that thay wer forced, notwithstanding of mony laughfull impedimentis, notour vnto ws, to vndertak the charge, without haueing conuenient tyme and laiser to be consultit and aduysed with the particularis that the importance of fuche a bussynes required; wherein seeing the schortnes of tyme hes preiudgeit thame of the helpis and informationis that wer necessair for this treatie, we mon be bauld, in all reuerence, to crave of youre maiestie, that this defect may be suppleed by youre maiesteis rare and excellent iudgement, and that youre maiestie wilbe gracioussie pleased to assist thame with fuche light and directioun, in the conduct and handling of this mater, as youre maiestie, oute of youre princelie and tender regaird of the weele of this youre antient kingdom, shall think meete, quhairthrow thay may be encouraged and strentned to go forward in the treatye, with fuche dexteritie and foirfight, as may procure youre maiesteis satisfactioun, and the credite and weele of this cuntrey. And so, in sinceritie of most humble and submissiue affectioun, praying the Almighty God to watche ouer youre sacred

perfone, and to bliffe youre maiestie with a lang and happie reigenn, we  
reft for euer

Youre Maiefteis most humble and obedient  
fubie&itis and feruitouris,

GEORGE HAY.  
HAMILTON.  
R. COKBURNE.  
A. MAR.  
ROXBURGHE.  
MELUILL.

MELROS.  
W. OLIPHANT.  
LAUDERDAILL.  
KILSAYTH.  
CARNEGIE.  
J. WEMIS.

Edinburgh, 22 February 1623.

To the King his most sacred and  
excellent Maiestie.

CCXCVII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE letter wretin by James Douglas, by youre maiesties direc-  
tion, to the Lord Chancelar and me, aduertising ws of his highnes suddaine  
journey to Spaine, being sent by my Lord Chancelar to me, I no fooner  
vnderstood thereby your royall pleasure, that sinister rumours of that vn-  
expected resolution might be suppressed, and als litle speech of it dif-  
fered as could be, but foreseeing that sermons were to be made the next

day, in all the churches of this towne, I presentlie sent for Maister Williame Struthers, and directed him to warne all his colleagues to forbear all mention of that mater, till, by better occasion of knowledge of your maiesties will, they might vnderstand how to behaue themselves dutifullie, in a pourpose of such moment. And incontinent thereafter, I dispatched to the archbishops, to take the like order with the ministers of there prouinces, which wes all, that, in a case so much perplexing my mind, I could conceiue to be most fit to effect your maiesties pleasure; albeit I feare it fall not wourk so fullie as I could wish, because the abuse of the posts, of whose slownesse I haue many times compleaned, hes, in this occasion, answered my apprehension: for that letter sent to ws, being directed from Newmarket, by packet, for life, the 21 of February, at eight at night, came not to me till the first of March at six at night, the information of his highnesse journey being knowne heir too dayes sooner, alswell by letters from London, as by relation of such as came from London to this towne by sea, by which meanes the rumour being so disperfed, nothing now resteth, but to make the best constructions that may be thought of, till we fall know your maiesties particular directions, which I humblie desire may be with diligence. And in the meantime, I fall adde to my incessant prayeris for your maiesties long and constant prosperities, my faithfull and heartie petitions to God, that his highnesse journey, fraughted with our feares for the great trauell and manifold dangers incident to that passage and returne, may tend to his honour and safetie, and your maiesties contentment, and fall, till my death, remaine

Your sacred Maiesties most humble, faithfull,  
and bund subiect and seruant,

MELROS.

Edinburgh, 3 March 1623.

To the Kings most sacred Maiestie.

## CCXCVIII.—EARL OF MELROS TO LORD VISCOUNT ANNAND.

MY VERIE HONORABLE LORD,

I receiued your lordships letter of the fourt, with the submiſſion exped, wherby your lordship hes expreſſed uerie generouſlie your conſcientious intention in that queſtion; and if the pairtie anſuer it not with all reaſon and dutie, your lordship will reape greate aduantage in the approbation of all honeſt men. I cloſed your lordships letters, and delivered that to the Earle of Roxburgh, who, after reading of it, moſt willinglie promiſed to be arbitour for your lordship, to attend the buſines, and proceed by informatioun of Sir James Bailie and your lawers. I gaue to Sir James Bailie the other, to be ſent to the Earle of Buckleugh, willing him to haſte it with one of his oune, deſiring him to come to the towne with diligence, to proceed and bring that mater to ſome end. Maſter Robert Burnet told me, that a coſen of his, of his owne name, would ſupplie his abſence. I haue willed him to diſcharge the witneſſis to come in vpon the 22 day, which was aſſigned to them.

I ſpake with the Earle of Mar for your lordships precept, and finding, by his anſuer, how ſmall hope there wes of moneyes, vrged that ſo much might be aduanced as might buy the materials which I vnderſtood by the maſter of work to be neceſſair; but, before God, I ſie litle poſſibilitie at this time, inreſpect of extreame ſcarcitie of moneyes, and infinit preceding burdings inioyned to the officers. The Vicount of Air was gone before your lordships letter came. Lag is ſtill heir. Maſter Robert Burnet hes ſent to ſlay the witneſſis. As occaſion ſhall be offered, your lordship ſhall be farther aduertified by

Your Lordships obedient friend to ſerue yow,

MELROS.

Edinburgh, 12 Merch, at night [1623.]

To the verie good Lord, my Lord  
Vicount of Annand, at Court.

## CCXCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Youre maiesties lettre of the fevint of August last, towcheing the cancelling and deleiting oute of the bookis of preuie counsell, the exemptioun grantit to the Laird of Johnneftoun frome the Earle of Nithisdail, his commissioun and iurisdiction ouer the middlethyris, come not to oure handis till the 28 day of Januair thairafter; and after that we had confiderit thairof, and of the reffonis induceing ws to grant the said exemptioun, wherein, we had no other respect bot your maiesties obedience, the peace of the cuntrey, and the preuenting of occasionis, whilkis might walkine and steir vp new troubles; and remembering thairwithall, that the earle himself wes present at the granting of this exemptioun, and hard to obiect aganis the same, and who in a maner acquiesceit thairunto, we thought the mater to be of that importance, that it required the laird his awne prefence and heiring, and thairfoir we appointit him that day eyght dayis to compeir and ansuer; whilk dyet being kept be him, we proponned and shew vnto him the equitie of your maiesties command and directioun, groundit vpoun the reconciliatioun maid betuix the said earle and him, whereby all occasionis and suspitioun of partiall and wrangous proceedingis on the said earle his pairt wer remoued, and that your maiestie wes so far persuadit of the said earle his honorable behauiour and cariage in that buillnes, and that, by his vpright proceedingis, he wald so labour to foster your maiesteis goode opinioun of him, as he will stryve to merite your maiesteis forder fauour; wherunto the said laird gaif his answer in write, reporting, in substance, that althoght he distrustit not the honour and credite of that nobleman, and wald tak no exceptioun aganis him, bot could weele rely vpoun his faithe and honour, yitt the malice of certane his freindis and followars aganis some of the name of Johnneftoun, wes als freshe and violent at this tyme as

at any tyme frome the beginning; and for prooffe thair of, he gaif tua instanceis of wrongis committit aganis some of his freindis, be Johnne Maxuell, callit of Castelmilk, one of the speciall perfonis whome the said earle hes entrusted in the executioun of some pointis of seruice, concerning the said commiffioun. The first thair of, committit within the burgh of Drumfreis, on a mercatt day, aganis a seruand of the laird of Wamphrais, who wes sechote through the thie with a pistoll be the said Johnne Maxuell; and the other committit aganis Williame Johnnestoun of Locarbie, who wes perfewit be the said Johnne, in his awne hause, vnder silence of night, and his man, Alexander Harknes, deadlie hurte. Thir tua pointis being referrit to the lairdis probatioun, and a terme assignit to that effect, in the moneth of Februar last, that dyet desertit vpoun the said Johnne Maxwell his absence, and a new term and dyet wes appointit to the xxvij of this instant; whilk dyet being kept be bothe pairtyis, the laird referrit the tua pointis foirfaidis to the said Johnne his oathe of veritie, who, being deiplye sworne, deponit anent the first point, That he being in the burgh of Drumfreis the tyme libellit, and rydeing home with ane other gentleman, throug Lochmaben streit, thay rancounterit accidentlie, in the narrow vennell, with some of Wamphrais seruandis; and the gentleman and thay haneing fallin in some altercatioun of wordis, and fra wordis to straikis, the said Johnne lighted and drew his sward, and thair wes schoitis and straikis on ather fyde. And anent the other point, concerning Will of Locarbie, he declairit, That he being informed that one Huntair, a fugitiue, wes in the said Will his hause, he went thair to seeke him, and, in your maiesties name, commandit the yettis to be maid patent vnto him; and this Harknes comeing oute, and preassing to flee away. and the said Johnne suspecting him to be the fugitiue, he followit him, bot knowis not yf in the following he wes hurte. This being the effect and substance of the said laird his ansuer, aganis the recalling of the said exemptioun, and of his verificatioun of the same, in maner foirfaid, befydis some verball discourflis, whilkis he had at the bar, all importing a vehement feare that he apprehendis, yf ony of the said earle his freindis and followaris, falbe armed and cled with your maiesties royall pouer and authoritie ouer him and his freindis, for whome he is ansuerable to



exhibite thame to thair tryall befor the rest of the commissiounaris, at ony pairt outwith the burgh of Drumfreis, we humelie present the same to your maiesties consideratioun, and quhateuir youre maiestie falbe pleasit to command thairin, vpoun signification of youre maiesteis royall will and pleafour, falbe obeyit. And so, praying God to watche ouer youre sacred persone, and to prolong your blissed reigenn with mony happie yeiris, we rest for euer

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.

MELROS.

R. COKBURNE.

J. WEMIS.

A. MAR.

LAUDERDAILL.

W. OLIPHANT.

LOTHIANE.

CARNEGIE.

Edinburgh, the last of Marche 1623.

To the King his most sacred and  
excellent Maiestie.

CCC.—THE LORD CHANCELLOR AND EARL OF MELROS TO  
KING JAMES VI.

MOST SACRED SOUERANE,

WE haue this day receiued your maiesties letters of the 25, directit to your maiesties thefaurar, aduocat, and ws. They being absent in the cuntrie by occasion of the vaicance, we haue writin for them, and expect there returne in the beginning of the next oulk. We fall then impart the letters to them, and concur to the faithfull, secret, and speedie

execution of your royall commandments, and giue due and timelie accompt of our diligence. So, befeeching God to grant your maiestie many prosperous and contented yeeres, we rest \*

Your Maiesties most humble and faithfull  
subiects and seruants,

GEORGE HAY.  
MELROS.

Edinburgh, penult May [1623?]

To the Kings most sacred Maiestie.

CCCI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THESE thrie or foure dayes wee haue beene in an exercife, wherof the counfells lettre will giue your maiestie an true accompt, but I hope your maiestie will be gratiouflie pleased to pardone me, by relation of all circumstances, to performe the particulare charge of the place, wherewith your royall bountie had graced and trusted me. Vpon Sunday the fourth of this moneth, the Dunkirk shipp, whiche had long loitred in the harbrie of Leith, intended to goe to sea for their returne to their owne port; the experience of alevin moneths stay here gaue them faire opportunitie, to know the estate of oure harbrie, and the firth, and coaste adiacent; they had formerlie made to sea, but at their owtgoing of the port, leaving the vsuall channell kepte by all other shippes of this cuntrie, and of the Hollanders, who, during that space, many times entred and went out to sea, they turned to the east hand, to a shald vifible to evrie mans

\* Autograph of Lord Melros.

eye, and their strikeing vpon ground, lay two tides vnder the marcie of two of their ennemies shippes; and so having lost the opportunitie of the heigh streame (the onlie time gevin possibilitie of their going to sea), wer, by help of your maiesties subiects, towed back for their saiftie to the harbrie, where they stayer till Sondag last, and then making owt in the night tide, leaving, as at their first essay, the ordinarie channell, they tooke their course as before, and strake vpon ground in the verie place of their first misfortune; whiche all think to haue beene done of purpose to make shew (for satisfieing, and in effect abuseing their princes) of obeying their comandement in their returne, and in effect to find pretexte of their stay here for eschewing danger of combatt; and many say that their pilote, a Scottisman, having tolde them publictly that the course commanded by them to be kepte by him wes their manifest vndoing, the captane, drawing his sword, threatned to kill him, yf he went not the way commanded, whiche occasioned all that followed; and after they were by that meanes vndone, before they left their shipp, they strangled the pilote, leaste he should manifest their treacherous cowardise. The trueth of this wil be knownen, and shalbe advertised when the poore pilots murther compleaned of to vs shalbe tried. So soone as the Hollanders perceived their advantage, they drew neir, and beganne to persew their ennemie with all haste. My Lord Chauncellour, getting knowledge of the combatte begunne when he wes going to fermon, sent for the clarke of counsell and ane herauld, and directed a charge to the Hollanders to forbear invasion within the beakin of Leith, and in the verie entrie of the harbrie, for the Dunkirkar wes not a pare of buttes lenth owtwith the peere. The water baillie of Leith could hardlie, after much diligence, move any boate to carie the herauld to the strangers; and when he come and vsed his office to the neereft Holland shippes, he obtaned no obedience. Soone after twelue a clock the Chauncellar went to Leith, with him the Clark of Register and I, fand the earles of Morton, Lothian, and Bukeleuch, and there, wee all resolued to renew oure charge, whiche being executed, the Holland admirall, being fardest from their ennemye, did forbear any more shooting, but the other, to whome the charge wes first given, still persisted in his disobedience; and so long as the water served, he vsed all

hostilitie. Many houres before that time, Sir James Makoneils bastard, and others with him, pretending a desire to haue help from land, cam ashore, but neuer offered to returne to their shipp. Two Heiland men, stripping themselues naked, swamme to land, vnder the perrill of their shippes shot directed against them, when the sea barred the Hollanders from further persute, the whole Dunkirk kippage came to land, abandoning their shippe to spoile, onlie curious, as appeared, to save themselues, their cloathes, swordes, and muskets; bot the rascalls of this cuntrie wer so barbarous, as they fell to spoyle so mercileslie, as my Lord Chancellor and some noblemen with him, being in the sands, could nather, by authoritie nor strokes, stay the disorder. Oure rascalls entred the shipp and vsed spoyle, and seeing some Hollanders come in their boates, left the ship voyde, whiche was seased and further spoiled by these strangers, who, having placed the Prince of Orange coulours, and made such havock as they pleased, tooke downe the coulours, and retired to their shipp. Then the lords commanded some of oure people to enter the shipp for hir safetie, and directed charges, by proclamation, to the towne of Edinburgh, commanding them, vnder the payne of treason, to put their people to armes to come to Leith, to obey the counfells directions, for your maiesties seruice; and sent Sir Archibald Naper to sie it obeyed, and to cause some cannon, with all furniture, to be broght from the castle of Edinburgh with all diligence. Commanding also, by oppin proclamation, the baillies of Edinburgh and Leith to gett all the workemen of both townes, to bring downe the ordinance. Proclamation wes also made in Leith, that all who should dilate to the clarke of counfell any who had spoyled of the Dunkirkers goods or armes, or refet them, to bring them to the baillie to be restored to their owners, vnder the payne to be repute theeves, rebelles, and refetters of thift, and promifeing to such as should dilate and furnishe probation, that the escheate of the offenders should be gevin them; but to this houre wee haue not found one. My Lord Chauncellar and all the noblemen watched all that night, and, seeing no appearance of convening of the people of Leith, wee gaue direction to a servant of the clark of the counfell to goe with the baillie of Leith, to take the rolle of the names of such as came with armes to the baillie

to ferve, that wee might therby know the abfents; and when the proveft of Edinburgh came verie late, fo evill accompanied, as no true hart could fie without grief, wee gave the like command to inrolle thefe who accompanied him: this night paffing without more fucceffe or harme, the ordinance being flowlie brought from the cattle for want of workemen, to haue beene furnifhed be the towne, wee fent of new two fenerall times to the Hollanders, craving affurance of their forbearance of furdur invafion. In the forenoone, the one pretended irrefolution till he confulted with his admirall; and after wee had caufed caft trenches for the ordinance, and had it ready to ding vpon one of the Hollanders lying in the drye 'ands, they draue tyme by delay of aunfwer, and lingring oure meffingers, till they had water to reteare from the danger of our ordinance, and then returned oure meffingers, without affurance of their obedience, intending, as was thoght, to have brunt the Dunkirkar in the nicht. In the meanetime, the proveft and bailties of Edinburghe returned, evill accompanied, to Leith; and being preaffed to ferve and guard your maiesties cannon, pretending their priuiledge not to ferve, except within the bounds of their owne iurifdiction, and that the cannon wes planted owtwith their bounds, nothing could be obtained but a promife to furnifhe thriefeoir mufketars to garde the cannon, and to releive their garde the nixt day, with the like number, vnder proteftation that it fhould inferre no prejudice by this exemple. The counfell, relying vpon that promife, and being wearied with their toyle of the preceeding two dayes and night, after order giuen for faiftie of the ordinance of the Dunkirk fhipp, and bringing hir to the herbric, went verie late to take fome reft; but the Chauncellaur being extrem carefull to fie all dangers prevented, arofe foone after midnight, warned the others of the counfell to affift him to fupplie fome appearing diforders, and walking till day, and feing all perils paff till the afternoone tyde, went to Edinburgh. I having ftayed at Leith, went to fie the eftate of the Dunkirk fhipp, and diligence of thefe to whome fhe wes trusted; and finding that they wer able to draw furth and caft on the fands all the ordinance before alleuin houres, follicit-ed them to take paynes to repare the fhipp, that fhoe might be brought within the harbrie in the afternoone, promifeing them recompense of their travells to their owne contentment; and thereafter going to fee the eftate of your

maiesties cannou lying beside Sant Nicolas, fand ne living man attending them, but two of the ordiners of the castle of Edinburgh, the rest of their nomber being gone to take their necessarie ease after much travells; and fo perceiving that (none of Edinburgh attending as they had vnder taken) two men might have elowed them, I presentlie caused some who wer with me to take muskets and pikes, whiche I had caused bring from my houe, and placed them to garde the ordonnance, whiche had bene committed to the keeping of the towne of Edinburgh, till my Lord Chauncellars retorne, who, vpon my advertisement, returning speedelie, after some other necessar directions, commanded all diligence to be vsed for bringing in the shipp, whiche the preceeding day he had caused seafe as your maiesties prise, and set your maiesties coulours vpon hir, and finding necessitie of much help of well affected gentlemen, in respect of the visibie slacknes of others, to whom it more properlie belonged, he sett all dignitie aside, and being most hartelie assisted by the noblemen and counsellours before named, he not onlie commanded, but, for example, played the pioner to tow in the shipp within the harbrie, whiche no travells then vsed being able to accomplishe, your maiestie will vnderstand the finall event by the counsells letter. I know your maiestie will offend and admire the barbaritie of some of our people, and disobedience of others, but I beseeche your maiestie to beleue that the magistrats of Edinburgh haue taikin extrem paynes, and vsed the vttermost of their diligence and authoritie, without successe; for the trade of our marchants and mariners with Holland is so profitable to them, and necessarie to the cuntrie, that these respects, ioyned with the opinion of conformitie of religion, and the dislike of the others for disc conformitie in that poynte, hath so vniuersallie possessed our cuntriemen, with favour to the one and hatred to the other, as nather counsells nor magistrats command or entreatie could procure any service; and yf your maiestie should preasse vs with curious recherche and condigne punishing the disobedients, I protest to God, I see no probabilitie how wee could performe it; for where the nomber and power of the perversilie disposed doeth infinitlie surpasse the endeavours of the faithfull and obedient, command turnes to encrease of contempt, and essay to punish, may turne to violent resistance; and yf my weake opinion may be propounded without your

maiesties displeasour, I wold wishe that meanes were found for monyes to be a stoke or *trarium belli* referued to the lewie of men, and furniture of prouisions, to execute all things concerning your maiesties authoritie and obedience, becaus, by this prooffe, wee haue not to expect that proclamations will doe it, in any matter not gracious to the people; neither wold I wishe that this subiect should be taiken hold of, since the contempt of Edinburgh hath beene so vniverfall, that when the magistrats of Edinburgh (their charges by their officers being disobeyed) wer forced to enter in mens houses, and raise them from their tables, they could not draw them to service, but rather that your maiestie, seeming satisfieed with the service done by honest men, should be provided of meanes to wage fouldiers to punishe the first manifest contempt of bad exemple that should hereafter fall furth, and so renewing *formidinem pœnce* in the harts of the evill affected, they might be reduced, and the faithfull confirmed to concurre to your obedience. Passion hath ouercome me in some circumstances of this busines, and moued me to doe and say more, both of our owne people and the Hollanders, nor a calmer time and exercise wold haue required; but since all proceeded of fervour to see your maiesties service advanced, or coldnes rebooked or amended, I will expect your maiesties wouted gracious construction and pardon, and shall euer beseeche God to graunt your maiestie many yeares, with all accomplished contentment, and never suffer me to liue ane houre after I want a true desire to liue and die

Your Maiesties most obliged, humble, and euer  
faithfull subiect and seruant,

MELROS.

I humbly craue pardon for vseing anothers hand to this letter, for I take God to record, that my grief to see strangers attempts tend to wound your maiesties honour, and the disobedience of an ingrat and vngacious multitude of your maiesties subiects, with the consideration of your most deare sones being in Spaine at this occasion, making me to con-



cur with your maiesties counsellors in towne, by toile of bodie by day, and watching by night, since Sonday morning, in hope to help things, albeit without succeſſe (ſince now the Hollanders haue brunt the Dunkerk ſhip, in maner particularlie expreſſed in the counſels letter,) my eyes are ſo blinded that I could not write, nor had laiſer to do it, being forced this forenoone to preferiue to the clerk of counſell the mater of the firſt part of there letter, and to dite verbatim to him the laſt half therof. I ſubmiſſie entreat, that your maieſtie may be pleaſed graciouſlie to accept my faithfull intention, and vttermoſt endeuors to excuſe the defeſts of the performance of that I owe. And albeit I haue no obligation to the towne of Edinburgh, the multitude taking themſelues in there raillings to me as having vſed violence aganis ſome of the diſobedient people, and threatned there magiſtrats with words of contempt; yet remembering how incident errors are to multitudes, when they concerne the intereſt of there gaine or loſſe in their privat, and that they can hardlie be well reduced by rigour, when the nomber paſſis nomber, I will of new beg permiſſion to entreate your maieſtie not to take any hard courſe with them at this time, or expreſſe any determination againſt them, but rather to keep your reſolution in ſuſpenſe, and, declaring generallie your diſpleaſure for there vnthankfulnes, your maieſtie may be pleaſed to reclame them by clemencie, mixed with autoritie, at convenient times, with that temper which your maieſtie hes in all bypaſt times moſt mildlie and wiſelie vſed towards your ſubieſts, with Gods viſible bleſſings, wherof I beſeech him to grant your maieſtie perſite and endleſſe continuance, and to me the grace to merite be accompted

Your Maieſties moſt faithfull and obedient  
ſubieſt and ſeruant,

MELROS.

Edinburgh, 7 May [1623?]

To the Kings moſt ſacred Maieſtie.



CCCL.—MR PATRICK HAMILTON TO THE VISCOUNT OF ANNAND.

MY LORD,

THE counsell of Edinburgh having vnderstood by their clark, Mr Johne Hay, how infinitlie they are bound to the constant continuance of your noble favours towards them, and that they owe the acknowledgement of his good successe in their affaires, onlie to your lordships noble furtherance, they are, by their owne lettre, herewith sent to your lordship, humbly to thank and protest their earnest desire and resolution, according to the infinitues of their obligation, to honour and serve your lordship; and because they presume that your lordships regard to me, as your servant, may possibly move your lordship to looke with the more favourable eye vpon their affaires for my interest therein, they therefore sent for me, and thinking their lettre wold not be the vnwelcomer, yf I should accompany it with one of my owne, their instant intreatie hath imposed vpon me a necessitie of this presumption, to begg of your lordship that I may hereby beare a part with them in humbly thanking your lordship, for your lordships so constant and favourable furtherance of their affaires, whiche I hope your lordship will pardone in me, who shall wishe no longer breith then I shalbe readie to bestow it for your lordships service; and so, humbly kissing your lordships hands, I rest

Your Lordships most humble and  
obliged servant,

MR. P. HAMILTON.

Edinburgh, the 15th May 1623.

To the right noble and my speciall good  
Lord, the Vicount Annand.

## CCCH.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

BESYDIS the infinite prooffis and experienceis, whilkis this estaite hes ever had of youre maiesties most constant and vnchangeable affection, so lyvelie and powerfullie manifested towardis thame in all occasionis fra tyme to tyme presentit to youre maiesties royall consideratioun, the lait reporte maid vnto ws be the Laird of Balwarde and Maister Johne Hay, commissioneris in that treatie anent the woll, and quhilk wes secondit by youre maiesties most comfortable lettre, and prudent directioun, fend vnto ws, anent the manufacture of the native commodities of this kingdome, hes, to oure exceiding grite comfort, not onlie walknit and fleirit vp oure affectionis to a most submisfieiue and reuerent acknowledge-ment of youre maiesties more then fatherlie care and endles affection towardis ws, whair of we find a daylie grouthe and progres, bot with that, it bindis ws in conscience befor God, and in oure dewtie and alledgeance to youre maiestie, not to conceale, bot to publishe the fame to all youre maiesties subiectis, that we and thay, vpoun the consideratioun of so many grite blessinges flowing vpoun ws frome youre maiesties most comfortable and blissed gouernament, may concurre with oure prayeris vnto God for youre maiesties long and happie reign.

And tuitcheing that point of the manufacture, we haif appointed a meeting of some noblemen, baronis, and burgesis, frome all the pairtis of the kingdome, to be heir in this burgh vpoun the nynt of Julij nixtto-come, whair the buffynes falbe sett a foote and prosequeted, by the best meanes that may bring the fame to a goode perfectioun, to youre maiesties honnour and contentment, and weele of youre subiectis. And so,

continewing oure vnceffant prayeris vnto God for healtie, and a long and  
happie lyffe to youre maiestie, wee rest

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MORTON.  
A. MAR.  
NITHISDAILL.  
MELROS.

At Edinburgh, the sext of Junij 1623.

We haif thocht meete to acquent youre maiestie, that the names of  
the tua Holland capitanes ar

Vallentyne Deaflau, capitane of the ship callit Sir Lucas.  
Adam Pieterfvander.

To the King his most sacred and  
excellent Maiestie.

CCCIV.—THE OFFICERS OF STATE TO KING JAMES VI.

MOST SACRED SOUERANE,

WE haue diuers times met and feriouſlie conſulted, vpon the heades  
of your maieſties letter of the 24 of May, concerning the proceedings of  
the towne of Edinburgh, and ſome vndutifull ſubieſts, during the hoſtilitie  
betuix the Hollanders and Dunkerkers at Leith, and for obedience of

your royall commandment, do humble offer to your gracious censure the anfuers following:—

First, we think the spoiling the Dunkerkers of there goods, after there coming to land, to be violent reif, meriting capitall punishment.

The spoiling of the ship by our people, after sho wes abandoned both by the Dunkerkers and Hollanders, to be ane high offence, triable, and feuerelie punishfable, by your maiesties secreet counsell.

And that those who beakned to the Hollanders to come and seafe vpon the ship left by the Dunkerkers, ar guiltie of fauour and assistance giuen to the Hollanders, who, before that time, by there disobeying the charges giuen to them to keep your maiesties peace, and forbear e all hostilitie, by sea or land, in this your maiesties kingdome, wer become your maiesties rebels, and contemnners of your autoritie royall; and that the said fauour wes giuen agains your maiesties confederates, being vnder your maiesties peace and royall protection; which offense being without any knowne exemple, we can not assuredlie resolue, whether it be more proper to be perfewed criminallie before the iustice, or as an extraordinar and haynous offense, arbitrar to the counsell. Neither can we sie how the towne of Edinburgh, can be compelled to try the committers of the aforesaid crimes and offenses, as that of the seuentent day of December, because that tumult wes stirred vp in there pulpet and churches, and executed vpon there calfay by many of there owne burgesis, in the presence and sight of the magistrates. But all the disorders done vpon Sonday at Leith, were before the charge giuen to Edinburgh to come thether, so as none of them being at that time in Leith, but one of the water bailies, he wes so busied in doing the counsels manifold directions, wherin he performed his vttermost diligence: it seemeth more proper to impose that triall vpon those, who haue that charge from the Dunkerkers, or vpon your maiesties officers, nor vpon Edinburgh, none of there people being knowne to haue been actors particularlie, but a multitude of baffe fellows, alswell of the adiacent cuntrie as of Edinburgh and Leith.

The protestation made by the magistrats wes founded vpon there pretended liberties, granted by there infestments, whervpon no instruments being taken, and it being past fra in effect, by there offer of obe-

dience at that time and occasion, by there vndertaking to garde your maiesties canon, as they were commanded; we think there not performing therof to be a direct and wilfull disobedience of your maiesties proclamation, punishable by the iustice, according to the course vsuallie obserued in cases of that nature. And albeit the payne denounced by proclamations, be tinfell of life, lands, and goods, yet we remember not that it hes been vsuallie inflicted, but rather that the parties either becoming in will, or being convict by aslife, haue been warded and fyned at the princes pleasour. In this occasion, it is also to be considered, that the suddantie of the accident, and multitude of confused occurrences, permitted not time to direct the proclamation in solemne forme, and to publish it by herauld and trompet, but onlie by a fummare warrand, vnfignetted, and published by found of drum. Yet it is vndeniable, that it came sufficientlie to the peoples knowledge; and that not onlie the magistrats came in armes to Leith with some of there nighbours, vpon Sounday, at night, and receiued there directions for your maiesties seruice, by the Lord Chancelar, assisted by the other counsellours then present, and were commanded to returne the next day for the like effect; but also vpon Mononday, wer of new commanded to garde the cannon, which they vndertooke, and did not performe, which makes the magistrats offense vndeniable and inexcusable, vles they giue vp the names of thrie score of there burgesfis, whom they charged with that seruice. So either the magistrats for neglecting to direct and command, or there burgesfis for disobedience in performing there charge, must be subiect to your maiesties iustice, or to your royall censure.

These, our weake opinions, we humbly offer to your maiesties most excellent iudgement, most earnestlie wishing, that your maiestie may be graciouslie pleased, by letter, to inquire the minds of all your counsellors before ye direct any persute to be moued against the offenders, because your maiesties precise commandement of secrecie would not permit ws to confer with any man, vpon such difficulties as seemed to ws verie materiall, in respect of the noueltie of diuers circumstances, the like wherof haue not, to our knowledge, before occurred, or been decided before the counsell or iustice, whervpon, if any thing shold be otherwayes determined

by the skill and number of the rest of the counsell, your maiestie might be displeased, matters not succeeding according to your commandment, and we blamed for the rashnes and errour of our opinions, which we fall faithfullie studie to decline, and readelie endeouour our felues reallie to aduance all your royall intentions and commandments, according to our most oblISHED dutie; and fall incessantlie beseech God long to blesse your maiestie with most accomplished happines and contentment.\*

Your Maiesties most faithfull and humblie obedient  
subiects and seruants,

GEORGE HAY.  
A. MAR.  
MELROS.  
W. OLIPHANT.

Edinburgh, 13 June [1623.]

To the Kings most sacred Maiestie.

CCCV.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERY HONORABLE GOOD LORD,

My packet of the 28 of July [June?] carried your patent. Yesternight, I receiued yours of the 24. This day I could not meet with Sir James

\* Holograph of Lord Melros.

Bailie. I haue caused James Hamilton seek him. If he be found, I fall direct him to try John Auchmouties resolution anent the submissioun, and if he consent to the forme preferred by yow, we fall cause draw it vp, and send it to be subscribed, and if he refuse, your lordship fall be aduertised. Albeit he allow the submissioun, no meeting can be before the 28 of this moneth, because the Vicount Lauderdaill\* is to go to Stratherne to morrow, with the Countesse of Roxburgh, to sic the Earle of Perth, of intention to stay there the most part of this moneth. I fall also desire Sir James Bailie to deale with Robert Lauder, as your lordship does allow.

The Earle of Winton hes willed me to desire your lordship, if that decreit arbitrall, which I passed betwix your lordship and him, for the bailerie of Cunighame, be in your lordships hands, that it may be sent to be registrat, wheranent he sayes, he will write to your lordships self.

I haue desired James Hamilton to cause Robert Creighton speake with me, when he comes to this towne, that I may let him know your lordships care of his good, and my readines to him.

I thank your lordship for showing to the Earle of Niddisdail, the truth of my dealing. Many times I told him, that beside the respect I did beare to his owne place and worth, that I wes infinitlie bound to the Marquis of Buckinghams many great and vnderfuered fauours, and finding my self vnable to requit them by any seruice to him self, God having so blessed him, as he neither needed the prouffes of my seruice, nor did I see any way to testifie my thankfull minde to him self. I would strue to embrace all occasions to make it knowne by my dutie to his lordships freinds in this countrie, and chieflie to the Earle of Niddisdail, who had the honour to be nearer to him by alliance. These duties haue obleithed me, and I haue beene, and fall be, readie to performe them so far as an honest man can do in my place. My remembrance of the freindship which wes betwix the Laird of Johnston and me, binding me to keep dutie to his sone, will moue some of my lords freinds to think and preafe to persuade

\* Viscount Lauderdale was created an Earl 14th March 1624.

him that I can not be dutifull to him, but knowing that his lordship is honorable and wise, I assure my self that he will think that I may discharge honest dutie to both, and will pray your lordship to use your best credit to remove all eylists, and increase the occasions of freindship amongs them.

I am glade of the freindship confirmed betuix the Marquis of Hamilton and your lordship, which I fall euer wish to continow, and fall neglect no occasion to cherish it to my vttermoſt, as a mater which imports both your goods, and the contentment of

Your Lordships faithfull freind to do  
yow seruice,

MELROS.

Edinburgh, first of July [1623?]

To my verie honorable good Lord, my  
Lord Vicount Annand, at Court.

CCCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maieſtie wes pleased, in the ſax hundreth and nynetene yeir of God, oute of youre princelie and tender regaird and



compassioun of the miseryis of the poore, who wer far preiudgeit and hinderit of their almous, and of the cheritie of the people, through the default and scairtlie of small moneyis within this kingdome, to grant your warrant for the coynage of fyve hundreth stane weyght of copper, in penny and tua penny peeceis, to the intent that the necessityis of the poore, whilk wes your maiesteis cheif purpois, being in some measour releued, the intercoure of small commodityis in pennyworthis amongs your maiesteis subiectis, might, in lyke maner, be the better interteyned, wherein your maiesteis warrant and directioun had a goode successe for some certayne yeiris, to the grette confort and releiff of the poore, till now of late, that pairtliche through occasioun of this extreame derthe and penurie of victuall, quhairwith the whole land is so vniuersallie visitte, bot cheiflie by the daylie growthe and increse of the number of beggaris, who, as we may trewlie asserme vnto your maiestie, ar now become sax for one, it hes fallin oute, that of this whole quantitie of copper formarie coyned, thair is litle to be found now current amangs youre subiectis, quhairthrow, thair cheritie and beneuolence towards the poore, hes bene verie far interrupted and hinderit, albeit thair number be now gritair, and thair miseryis more lamentable and pitifull, nor ever wes seene or hard of in this cuntrey. The consideratioun quhairof, conioyned with the necessity of small money, whilk wes never so vrgent as at this tyme, hes moued vs most humelie to requiest youre maiestie, that your maiestie wald be pleased, by youre lettre, to be returnit vnto vs, to gif your royall consent and allowance for the coynage of other fyve hundreth stane of copper in the spaceis foirfaid, or lesse or more, as the necessity of the cuntrey shall require, and that we may haif your maiesteis allowance to aggree, with Maister Cunyeour for the coynage, ypoun suche conditionis as the worke may conuenientlie beare, quhairthrou, the miseryis of the poore, may be in some measour releued, and that your maiesteis subiectis, who ar verie weill affectit and disposit towards thair supparte, may haif the occasioun, fra tyme to tyme, to extend thair cheritie towards thame. And so, praying the Almighty God to watche ouer your sacred persone, and to continew

and multiplie his bliffingis vpoun your maieftie with mony happie yeiris,  
we reft

Youre Maiefteis moft humble and obedient  
fubiectis and feruitouris,

GEORGE HAY.  
MELROS.  
LAUDERDAILL.  
R. COKBURNE.  
W. OLIPHANT.

J. WEMIS.  
GEO. ARESKYN.  
MELUILL.  
J. ERSKYNE.  
KILSAYTH.

Haliruidhous, the third of July 1623.

To the King his moft facred and  
excellent Maieftie.

CCCVII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

YOUR doghters fecurities of her jointure ar exped, but your lordships owne of your excambium, proceed more flowlie, becaufe Maifter Thomas Hope hes not yet gotten from the Earle of Niddifdaill, all the euidents that are requift for his information.

A poore old fellow, called Thomas Young, feruant to the Ladie Bas, wes before the counfel vpon the first of this moneth, for cutting the Lairdis wode of Presmenane. He alledged that he had the laird and ladies warrand, but shew none to the counfell; but I saw particularlie the ladies warrand, subfcriued be her, which I thocht not lafull for making fo great waft of that, which belonged to her sone, yet there wes great

opposition made be great men, alledgeing, that since George Hepburne, in whose name the charges were vsed, shew no warrand from the laird, he could haue no place to persew the cutters of the wode. So, as I was forced to propone the caire the counsell shoud haue, to prevent distruction of policie, speciallie of wode, which is so scarce in this cuntrie, that the season of the yeer wes so vnfit, that what is cutted after this time will not grow agane; and, which wes most to be respected, that his maiestie, before his coming to this cuntrie, had, by letter, recommended to the counsell to desire the Laird of Bas to keep and hayne the wode, and the roes that were in it, for his maiesties recreation, wherof we were oblithed to with the like happie occasion; but when it shoud fall furth, his maiestie would be displeased to know that this side of the cuntrie, from Beruik to Edinburgh, shoud want wode and meanes of his or his sones sport, wherby I obtained, that the cut shoud be delayed till the last day of this moneth, and George Hepburn is directed to produce the lairds warrand for stay of the farder destruction of the wode. My opinion is, that your lordship moue his maiestie to cause signifie to the laird, his pleasure, anent the hayning of the wode and forbearing to cut it, and that he write to the counsell to stay it, till the lairds returne, or whill he send his expresse warrand, in writ, to his seruants. I am persuaded this course will greatlie offend the ladic, because I moued George Hepburne to make this stay. Scho will pretend that it wes resolved to be sold for paying ten thousand merkis to the Laird of Congilton, but the shift is vnthrifitie, and will neuer work her end. What is concluded heiranent, must be signified before the end of this moneth, or els the disorder will go on, and will not be gotten longer stayed by

Your Lordships faithfull friend to serue yow,

MELROS.

Edinburgh, 4 July 1623.

Your lordships two letters of the 27 June came when I wes to clofe the packet. Maister Thomas Hope assures me that perfite order is taken for your lordship and Sir R. Gordons securities with Williame Douglas. I think your lordships resolution, anent the tryall of a fervant in Robert Philips place, verie good and wise, that none be trusted, but he that fall be knowne to be sufficient and faithfull. The Vicount Air parted fiftene dayes ago to England. I fall do in the mater of the greenuances, as his maiestie hes commanded, and as your lordship hes wiselie aduised me; and in evrie thing fall assit to my power, that which fall be thoght fit by those whom his maiestie trusted with the busines, and fall aduertise your lordship of the progres therof.

If your lordship think that the sight of my other letter would not offend my lord marquis, or preiudge your lordships trust, I fould be glade he know thereby my dutifull respect to his honour and contentment, which I remit to your lordships wifdome.

To my verie honorable good Lord,  
my Lord Vicount of Annand,  
at Court.

CCCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS the tyme of the changinge of the schireffis, of whome youre maiestie hes the nominatioun, now approtcheis, we haif thairfoir fend vp heirwith, vnto youre maiestie, ane roll of the iusticeis of peace within these schirefdomis, to the intent youre maiestie may poynte oute suche, whome your maiestie wilbe pleisit to prefer to beare office for the

yeir to come. Thay who ar presentlie in office ar markit with the lettre P. And fo, continewing oure prayers vnto God for youre maiesties lang and happie reigmn, we rest

Your Maiefties most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.

Haliruidhous, the aught day of July 1623.

To the King his most sacred and  
excellent Maieftie.

CCCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS, at the first nominatioun maid of ws, be youre maiefteis darrest fone, the Prince, with youre maiefteis aduise, to haif the charge of the administratioun and gouernament of his affairis, and leving in this kingdome, we all thought that youre maiefteis awne seruand, James Primrois, wes the fittest man to be oure clark in that seruice, alsweele in regaird of his diligence and daylie attendance vpoun ws, for youre maiefteis affairis, as of his sufficiencie and honnestie, verie weele knowne to your maieftie, and to all youre subiectis who hes to do with him in his seruice. Bot it pleafed youre maiefteis darrest fone, at that tyme, to mak choife of vmquhile Maister James Scott for that seruice, not for ony

dislyke that he had to the other, bot oute of his affectioun to the said Maister James, with whome his heyne was better acquainted, nor with the other. And now the said Maister James being, at the pleasour of God, depairtit this lyffe, we continew in oure formair opinioun, that the said James is yitt the fittest man for the seruice, whilk, in effect, is one with that fame that he hes of youre maiestie; and we perswade oure felfis, that as he hes cairfullie and paynefullie serued youre maiestie, without the least imputatioun of reprotche, that so he will endeuoir, by the lyke sollicitude and cair, to approue him self to youre darrest sone. And thairfoir, we haif prefoomed now, in the absence of youre said darrest sone (vnto whome we pray the Almighty God to grant a happie returne), to recommend youre awne seruand to your maiestie, humelie requesting youre maiestie, to latt us haif youre maiesties allowance and fauour, to ressaue him in this seruice, vntill it shall pleis God that we vnderstand the prince his awne will thairanent, vnto whome we haif writtin for this effect. The said James is fomutche the more earnest in this particulair, becaus all these who hes ony officeis of youre maiestie heir, ar ressaued in the same officeis vnder the prince, he onlie exceptit. And so, praying God lang to preferue youre maiestie in helth, and to grant vnto your maiestie mony happie yeiris, we rest

Your Maiesteis most humble and obedynt  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.  
ROXBURGHE.  
AR. NAPER.

Haliruidhous, x July 1623.

To the King his most sacred and  
excellent Maiestie.

## CCCX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesties lettre, by the whilk youre maiestie wes pleaded to recommend vnto ws, the consideratioun of the feuerall offensis committit be youre maiesties subiectis, in that mater of the Dunkirk ship, brynt at Leethe, and thairwithall willing ws, by oure vniforme opinionis, to resolue youre maiestie thairanent, vpoun the refett of this lettre. After that we hard the relatioun of youre maiesties secretarie, concerning the particularis of this busynes, and finding the same, in consequence and example, to be of grite importance and deliberatioun, we had tua meetingis for that purpois, and verie narroulie examined all the particularis recommendit be youre maiestie vnto ws, and haueing aduised and discusst all the obiectionis and doubtis that wer proponned thairanent, and, first, towcheing that point anent the violent and shamefull robbing of the companie of the said ship, after thay had left hir and come to land, we find, that quhairas occult and preuie stouthis ar pvnisheit be deathe, that this violent and maisterfull stouthie, committit in day light, in the presence of twa thoufand perfonis, is a cryme of beighair degree, and will fall vnder the compas of stouthie reaffe, and so is pvnisheable accordinglie. And towcheing the secund point, anent the spoyll of the schip after that the Hollandaris had boordit hir, and erectit the Prince of Orange his cullouris, and then left hir, we find that point to be of the natur of ane ciuile actioun, and that it may be perfewit outhir ciuile befor the ordinair iudge, or befor youre maiesties counsell, as ane oppin violence and oppressioun. And towcheing the thrid point, anent these who baikymed, and gaif wairning and signis from the shoir, to the Hollandaris to come and boorde the Dunkirk ship, we find, that seeing the Hollandaris had dissobeyit twa chargeis gevin vnto thame, in youre ma-

iesteis name, be a herauld and trumpett, to obserue youre maiesteis peace, and to fairbeare the peruite of the Dunkirkair, who wes lyand on dry ground at the mouthe of youre maiesteis harborie, and so, by thair disobedience, profest thame selfis to be rebellis to youre maiestie, and contempnaris of youre royall commandment; that thairfoir all these who affordit vnto thame the meanes and occasioun to perfew the Dunkirkairs, who wer youre maiesteis freindis, lyand heir vnder youre maiesteis protectioun, hes incurrit the pane and cryme dew to assistaris of youre maiesteis rebellis; bot becaus the criminall tryale of this point wilbe hard and diffiele, as depending vpon a naiked signne, and the concepcioun of ane intentioun in the makeris of the signne, we find it more expedyent, for the better diseouerie of the trewth, that the mater salbe tryed befor youre maiesteis counsell, quhair it may be cleirit be oathe of pairtie or be witnesis, nor by ane assise. And towcheing that point quhair the magistratis of Edinburgh, being commandit to gaird the cannoun, protestit that thay could not be haldin to ferue outwith thair liberteis, we find, that seeing the protestatioun past onlie ane discours, and wes not stand too, bot obedience promiseit, that thairfoir no censure nor pvnishment can follow thairupoun. And towcheing the last point, whilk hes twa memberis; the first, yf the magistratis of Edinburgh, conforme to the directioun and command gevin vnto thame, appointit a number of thair toun to gaird the cannoun; and yf these who wer appointit, obeyit, we find, that howeir the pane of proclamationis for ryfeing in youre maiesteis seruice be strait, that neurtheles, it can not be fundin, be ony record or memorie of man, that the rigour of the law hes bene inflicted in this point, bot the pvnishment hes euer bene turned in compositionis and fynes. And thairfoir, in oure opinioun, it is meetest that the tryall of this mater, salbe remittit to youre maiesteis counsell, who wilbe cairfull to tak the most exact tryall thairin thay can, and, accordinglie, will aduerteis youre maiestie with the progres of thair proceedingis, to the intent youre maiellie may gif youre awne aduise anent the forme of pvnishment. And towcheing these of the toun of Edinburgh, who disobeyit thair magistrattis, being commandit to attend the magistrates to Leethe, we find that thair offence being rather ane omissioun of thair dewtie, nor ane con-



tempt, fould be remittit to the magiftrattis thame felffis. This being the effect of oure waik and fimple opinionis in thir particularis, we humble prefent the fame to youre maiefteis confideratioun, fubmitting oure felffis thairin, as in all otheris thingis, to youre maiefteis more rair and excellent iudgement, and quhat youre maieftie falbe pleafit forder to command herein falbe accordinglie obeyit. And fo, praying the Almighty to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maiefteis moft humble and obedient  
fubiectis and feruitouris,

GEORGE HAY.

NITHISDAILL.

CARNEGIE.

W. OLIPHANT.

GLENCAIRNE.

BUCCLEUCHE.

AL. ELPHINSTON.

AR. NAPER.

MELROS.

HAMILTON.

LAUDERDAILL.

Haliruidhous, the first of Auguft 1623.

To the King his moft facred and excellent  
Maieftie.

CCCXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a petitioun gevin in to your maiefties counfell be the earle of Murray, ftewart of Menteathe, and his deputis, proporting, that his faidis deputis haueing apprehendit vmquhill Duncane Moyll Campbell, a commoun and notorious theif, within the boundis of Menteathe,

in the verie fact of thift and foirning, and haueing putt him to the knowlege of ane affife thairfoir, he wes convict of the faid cryme, and fentence of deathe pronunceit agains him; and his executioun being for fome few dayis continewed, to the intent he might haif had the better occafioun to be reconciled with his God, feeling he wes ane roode, ignorant man, without ony knowlege of God; that in the meantyme, Robert M<sup>c</sup>Patrik, his brother, accompanied with a number of lawles and rebellious lymmaris and fornaris, come to Menteathe, and to the duelling houfe of Patrik Steuart thair, feruitour to the faid earle, whome thay tooke oute of his houfe, and caryed him with thame to the hillis of Glenurquhy, of purpois to haif kept him as a pledge for releif of the faid Duncane; and thay threatned him with the moft cruell deathe thay could deuife, yf the faid Duncane wer not fett free; and thay fend worde to the deputis, yf the faid Duncane wer execute, that thay fould fend the faid Patrik his heade vnto thame, which moved the fleuart deputis, vpoun trew apprehenfion of the gentleman his dangeir, to refolue vpon fome courfe for his relieff. In the profequitioun whereof, after thay had gottin notice quhair the gentleman wes kept be the lymmaris, thay maid thair addrefse thair, and fend a meffage vnto thame, firft intreating thame, and thairafter in your maiefties name commanding thame, to fett the gentleman free, whilk thay not onlie refufed to do, bot enterit in a furious perfuite of the fleuart deputis, and of the gentlemen that accompanied thame, and with bacquebutis, piftollis, and arrowis, perfewit thame of thair lyveis; in the whilk perfuite, it fell oute, be the prouidence of God, that the gentleman wes releued, and three of the lymmaris killed and on apprehendit, who is in handis, and referued to his pvnifhment; and of thefe that wer killed, twa being rebellis for thift and murthour, and the third (althoght a knowne commoun thief) not rebell, fome of his freindis, who, during his vnhappie lyfe, feamed to mifknowe him, hes now, after his deathe, maid fome buffynes, and intentit a criminall perfuite for his flaughter befoir your maiefties iuftice; wherupon the gentlemen who wer challengeit haueing meaned thame felhis to the counfell, and, inrefpect of the circomeftanceis of this mater, haueing humelie defyrit that the criminall dyet might be defert, and that thay might haif ane approbatioun

of thair proceedingis in this mater, with ane exoneration of all cryme and danger that might be imputt to thame thairthrow, your maiesties counsell, althocht thay noway doubtit of the trewth of this information, whilk wes alwa testifeit be a testimoniall in write, producit befor thame, vnder the handis of a nomber of baronis and gentlemen of the cuntrey, thatt thay wald not prefoome to medle thairwith, bot hes referued the fame to youre maiesteis selff, frome whose meere grace and mercye this approbatioun and exoneration must immediatlie flow. Onlie this far, vpoun goode respectis, is done to the gentlemen, thair dyet is continewed to a new wairning of fyfteene dayis, to the intent, your maiestie, after consideration of the circomstanceis of this mater, quhilk procedit frome the vnlawghfull taking of a laughfull subiect, and keeping him as a pledge for releif of a condemnit theif, and frome the oppositioun and resistance maid be the lymmaris agains the steuart deputis, and gentlemen that adventurit thair lyveis for releif of the said Patrik Steuart, may extend suche proportion of youre grace and mercye to the gentlemen, outhir be remission, respectt, or approbatioun of thair seruice, as your maiestie, in the excellencie of your wifdome, shall thinke goode. And so, praying the Almighty God to multiplie his blissingis vpoun your maiestie, with the continewance of mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.  
NITHISDAILL.  
AD. B. OF DUNBLANE.  
A. MAR.

WINTOUN.  
MELROS.  
LAUDERDAILL.

Haliruidhous, the fyft of August 1623.

To the King his most sacred and  
excellent Maiestie.

## CCCXII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I HAUE stayed vndwryting till I fould heare from the earle of Niddisdaill of the conclusion of the iustice court vpon Setterday last, but thinking it liklie that he hes wretin by Carleill, I haue sent the roll to James Douglas, and desired him to request your lordship to let his maiestie know, by sight of it, what is done at that dyet. Sir William Seton came yesternight to this towne. I am forie to heare that maters went croffe betuix the earle of Niddisdaill and Sir William and the maister of Jedburgh, by occasion of there contrare opinions, in a repedgration foght by vertue of Drumlanriks regaltie, which my lord tooke in ill pairt, and promised to aduertise his maiestie. It is reported that the laird of Lag agried in opinion with the other two, but becaufe I know not the certantie, I remit it to the parties owne informations. As I fall learne any thing in your lordships owne affaires, I fall with diligence aduertise, and euer rest

Your Lordships affectionat freind to  
serue yow,

MELROS.

Edinburgh, 12 August [1623?]

To my verie honorable good Lord,  
my Lord Vicount of Annand, at  
Court.

## CCCXIII.—SIR WILLIAM SETON TO KING JAMES VI.

MAIST SACRED AND GRACIOUS SOUERAINE,

PLEAS your sacred majestie, pardoun my boldnes and presumption, by wreitt, to informe your majestie of ane accident fallin out at our Court at Dunfreis, the 5 August, whairin the Erle of Nithisdaille, be tua letters of your majesteis, the ane direct to him selfe, to Erle Buccleuche, and Vicount Annan, (noe mentioun maid of ws, the rest of the Commiissioners thairin;) the other, to ane aduocat, designed justice depute in that behalffe, whose pretendit plaice in our judicatorie, did not a lytle confound the fame, the justice generall his plaice, and his deputts, haiffing noe compatibilitie with our commiission in a judicatorie. This bredd ane not fene heirtofair (this tuentie yeares past, synce I had the honour to be employed in your majesteis seruice in the Middleschyes) confusioun, more publique nor I could haiffe wifched, and debaitte nocht comelie in that plaice, the Maister of Jedburgh, Laird of Lag, and I, all standing to the commoun course of law, ordour, and daylie practique; the Erle Nithisdaille and Justice Depute, preiffing to chaynge the ordour, be the authoritie of your majesteis letter, whairvntoe wee war willing to acquiesce, protestfing onlie to be noe actours, whairin, wee had noe warrant contrair to law. Heirvpon, questioun and debaitte haiffing rissin amongs ws, in all humilitie, I doe prosterne my selfe to intreate your maist sacred majestie, your majestie will be pleased, incaice misinformation of our procedours cuim to your majestie, it will pleas yow referue ane eare to our tryall; hoping your sacred majestie shall find necessitie of law, lacking all warrant in the contrair, enforced ws to doe that wee could nocht haiff bene comptable for, giff otherwayes wee had done. Off the particulers yior sacred majestie will ressaue farder information be the lords of your majesties priuey counfall, efter the 20 instant, at whilk tyme wee ar to rander ane accompt to thair

lordships. The commoditie of the pacquet, pairting to your majestie, and my present returne from that seruice (haiffing allone the opportunity), hes emboldened me, for the maister of Jedburgh and laird of Lag, conjunct in that seruice, this far to informe your sacred majestie of the premiffes. In all submissioun, obedience, and humilitie, taking my leive, wischeing from the Eternall all incres of felicitie to your maist sacred majestie, and all your royall progenie, rests

Your maist sacred Majesties maist submissiue, obedient,  
and humble subiect and seruitour,

W. SETOUN.

From Edenburgh, 12 August 1623.

To the King his most sacred Maiestie.

CCCXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reslaue your maiesteis lettre of the xij of this instant, con-  
taining your maiesteis opinioun of oure iudgement and censure of the fe-  
uerall offensis of these disfordourlie people, in that mater of the Dunkirk  
ship laitlie brynt at Leethe, togidder with youre maiesteis awne most iudi-  
tious opinioun, and princelie directioun in that point concerning the ma-  
gistrattis of the burgh of Edinburgh, for that vntymous and vnseafounable  
protestatioun maid be thame agains thair seruice outwith the boundis of  
thair awne liberteis. In the quhilk point, as we acknowledge your maief-  
teis singulair wifdome and most prudent directioun, whiche falbe a pa-

terne and warrand to ws in all occurrentis of the lyke kynd heirafter, and wherunto in this particulair we shall conforme our felffis, so we haif found verie grite contentment, for your maiesteis gracious allowance of oure simple and waik iudgementis in the remanent particularis, concerning this buſſynes, and we ſhalbe cairful, by exact tryale, examinatioun, and censureing of the same, to gif vnto youre maieſtie the beſt ſatiffactioun we can. Bot becaus the buſſynes it ſelf is of that importance, that it requiris the preſence and hearing of a frequent number of the nobilitie and counſell, and the preſent ſeaſoun of the yeir is ſuche, that it threatnis a laite and bruckle harveſt, ſwa that, be appeirance, this mater can not be weele and formalie handlit, nather will the counſell conveene ſo frequentlie as is requiſite during this tyme of harveſt, it is thairfoir thought meete by the voices of all theſe of the counſell that wer preſent, that this mater ſhall reſt till the begynning of the nixt ſeſſioun, at whiche tyme ſuche exact ordour ſalbe tane thairwith, as the importance of the buſſynes requiris. And ſo, humelie craving your maieſties pardoun for this ſhorte delay of tyme, wherin we had no other reſpect bot the formall and ordourlie proceeding in this buſſynes, we pray the Almighty God to bliſſe your maieſtie with mony lang and happie yeiris, and we reſt for ever

Youre Maieſties moſt humble and obedyent  
ſubiectis and ſeruitouris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.  
WIGTOUNE.

J. ERSKYNE.  
AR. NAPER.  
HAMILTON.

Haliruidhous, the 20 day of Auguſt 1623.

To the King his moſt ſacred and  
excellent Maieſtie.

CCCXV.—EARL OF NITHSDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I HAUE sent out thofe which I apprehendit for burning of the minifter, as his majeftie haith directed.

Befoe Conhaiths returne, I was chargit, at the instance of Drumlenrik, to produce his men befoer the counfell: I fent out his majefties letter, and wret to my Lord Chanfeller and the Prefident, intreating they wold proffid no farder, till his majefties anfuer fheuld cum, which I did deylie expect; bot the counfell did appoynt the men to be fet at libertie, finding cation to compeir befoer the generall Juftice, wher they know repleging will be admitted.

I haue fent the letter anent that difput betwixt the commiffioners and me. Drumlenrik in that matter can pretend no ignorance, for a fourt-night befoir the court, in ane difcours betuixt him and me, he faid that he wald account him felfe no moir obliged to anie man wald bring his regalatie in queftion, then he intendit to cut his throt; wherto I anfuered, that I fheuld be lothe to be wpon knowledge of cutting his throt; bot my maifters direktion wald mak me wfe noe ferimonie to refufe repledging; ‘for,’ faid I, ‘what reafon can yow have now to tak exceptions moir then yowr father did, in the tyme of the Earle of Dumbar?’ His anfuer was, thought it was his fathers pleafor to doe fo to the Earle of Dumbar, it was nocht his pleafor to doe fo with me. When yowr lordship fall find fitteft tyme, be remembering that matter of Amiffeilds and Clofbornes, yowr lordship fall oblis tuo honeft gentilmen. I tak my liue,

Yowr Lordships brother to ferve yow,

NITHSDAILL.

Drumfreis, September the xxix, 1623.

To my Noble Lord and Brother,  
the Vifcount of Annand, at Court.



## CCCXVI.—EARL OF NITHSDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I MERVELL nocht a lytle of that motion which Conhath maid anent the casualaties of the Borders, for, as God is my witnes, I never intendit anie such thing; nether fall it ever be hard of, that I fall medle with such bafe shifts, for my poore service, if it fall be virth the thinking, the recompance fall cum from our maisteris his oune hands.

I perfaue it fall nocht be posabill for me foe cairfullie to ouersie the particulers of your lordships cuntrie biffines heir, exsept yow appoynt sum man or other to vach over yowr offisers. I vald nocht haue yow to nominat anie pension for the sam, bot according as they fall deserve; for the moift pert of this cuntrie is leyk to be wait for falt of tennens, and I perfaue the offisers lous nocht cairfullie to that poynt.

I cummandit Mathow Wilfone to leid the teins of Castelmilk. I cummandit the hoill tennents to attend the leading therof, bot I heir ther is nothing done after he had undertene the sam; nather wald Mr David Rodger tak them, for that yow ar bond to pey. Yow haue been ivill wfit in all that blok, as yow will cleerlie fie.

Be all apperence, wnles yowr lordship tak sum spedie cours with the stewartrie of Annendaill, it will goe to confusion; for a greit manie lands lyeth waift, the tacsation wherof yow must pey, and then seik yowr relive. If yowr lordship will frie the commisser of Drumfreis of that truble, I knoe no man moir fit for the place; sikleyk, all those casualatis belonging to that office is seasit wpon for the king. If yowr lordship will send me doune yowr mynd, I will doe my best for your weall in all these particulers. I hear nocht of anie cair wfit for yowr credit, be those which yow haue appoynted for yowr gard; nather doe I heir whom yow haue plassid, for tuo or thre war put out, or if yowr lordship will haue fyue moir, as my Lord Bukcleughe and I haue allouit. If your lordship haith mynd to prefer them yowr felfe, let me know: if yow will trust it to me, I fall do what

confers yowr honour therinto. I think strange that Sir George Elphinston should haue maid anie motion of my upcuming, much moir of my wyfis. I haue fund the smart of wasturrie in that pert sufficientlie allredie; nather doe I ever intend my wyfe fall cum thair, vnles be the direction of my lord Duke of Buringhame, I may be assured to be bettered be the woyage. For my oune wpcuming, if yowr lordship fall think it fit, efter yow haue spokin my Lord Buringhame, short advertisment fall serue.

I am forie that George Hariot is put in such fear and distast with me, as I heer be Sir George he is, for his securitie may be good enough, if he wald be pleasit to furnis sum mun[ie]. I protest befor God ther fall be no means to hould of discredit, that I sie, since no munie may be had from thence, the miserie of this land is such. God send the prince and my lord duik weall home.

I haue hard nothing as yeat from Mr Thomas Hope, bot I haue wretin to him. As I hear, I fall acquent yowr lordship.

My Lord, houeuver men sheuld senfor yow or me, in ovr maisters service, it must not mak ws shrink; bot vnles the prince and the marques be home befor Martinmes, I feir the strong hand agenst reason mar ovr good intensions. I attend yowr direction in all things as

Your Lordships brother to serue yow,

NITHSDAILL.

Drumfreis, September the xxix, 1623.

I haue causit proclaim ane justice court to the fixtein dey of the nixt moneth. The outcry of poor prisoners, and of the toune of Drumfreis with mantening of them, haith maid me haift the sam.

To my noble Lord and Brother, the  
Vicount of Annand, at Court.

CCCXVII.—SIR THOMAS HOPE TO THE VISCOUNT OF ANNAND.

PLEIS YOUR LORDSHIP,

I RESSAUT your lordships twa letteris yesterday, together with the band of dispositioun of Castlemilk, in fauouris off the earle of Nithifdaill, and I find that sam fault quhilk your lordship hes markit, anent the hail myln; for in the alienatioun off the thrid part to your lordship be Kirkhous, I find the thrid part myln insert. Now, heir wilbe the difficultie: If, in the rychtis made to your lordship be Mr Nathaniell Edwards, the hail myln be wntennit, the erle of Nithifdaill will alledge, that he must haif all from your lordship, quhilk your lordship hes from Maister Nathaniell. Bot in this I can not resolue, quhill I sie the rychtis made to your lordship be Maister Nathaniell, quhilk ar in the erle of Nithifdailles handis; and vpon the schow thairoff, I fall travail to remove that dout, for it is nawais resonable that your lordship fould quyt that rycht, quhilk your lordship hes your nephew Kirkhous. And as to this band, quhilk is fufberyit be your lordship, it must be alterit, both in that off the myll, and vtheris heidis, quhilk I haif obseruit, and fall caus draw vp ane new dispositioun, and maik it with my hand; but this must rest till I meit with the erl of Nithifdaill, and bring his lordship, by refioun, to aggrie to sic heidis as must be changit; and in the meane tyme, I fall wryt to the erl of Nithifdaill, and schaw his lordship, that I haif the band in my hand, and dois attend his lordships prefence, or sum of his fervandis, with the writtis made to your lordship from Maister Nathaniell Edward, for reforming thairoff.

I haif this day, being the counsell day, causet mak resignatioun in your lordships fauores, both of the lands contenit in the contract of excambioun betuix your lordship and the erll of Nithifdaill, and als off the lands con-

tenit in the dispositioun made to your lordship be Kirkhous. And for the rest of your lordships effaires, I attend the anfuer of my letteris, writtin to Robert Macbrair and William Hayning; and so fone as I haif it from thaim, I fall put order to all your lordships bussines, both for the excambiou with the erl of Nithifdail, and als for Halywod; and to this effect I fall desyre my lord of Nithifdail to contriue with thaim for the mair quik dispatche off that matter off the tenandis and property of Drimfleit.

I wret laillie to your lordship in fauouris of my brother, James Hope, in Diep, fra quhom the customeris hes takin sum fiftie merkis worth off gold threid, he being ane strangeare, and his factres not knowing the stricknes off the lawis: And I humblie entreat your lordship to imploy your lordships fauor and credit for restoring to him off his guids, quherin I know Sir James Baillie wilbe maist readie, at your lordships command, to imploy his travailles and best help. So, my humble and bund seruice rememberit, I commit your lordship to the grace of God, and restis

Your Lordships humbill and faythfull  
seruitour till death,

SIR THOMAS HOPE.

Edinburgh, 1 October 1623.

My Lord Chancellor is to be at court schortlie; and his lordships loue and respect to me is so abundant above my merit, that I trust he fall motioun my signatour to his majestie; and therfoir, if my lord speik tuitching thairanent to your lordship, you wilbe pleafit to gif fuche concurs as your lordship thinkis meit for the bussines.

To the rycht honorabill my verie  
guid Lord, my Lord the Vicount  
of Annand.

CCCXVIII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your lordships letters of the 18 and 21 of September. These who are suspect of the burning of the minister of Kirkpatrick's house, were sent to this towne yesternight, by the earle of Niddisdail, and are to be exactlie tryed by me, and some others of the counsell, to whom the lords haue giuen commission to that effect.

The commissioners of the Bordours are ordained to be summond to the next counsell day, to the effect, tryall and order may be taken with the busines, which fell furth the last court, according to his maiesties direction. In these, and all other his maiesties seruices, I fall studie to approue the continuance of the faithfull duetie I owe, and haue kept in time bypast, and fall prosecute, God willing, to my liues end.

I can learne no thing of any dealing in the laird of Baffis affaires, but that he hes wretin to some of his creditours, to superfeed their principall sowmes till Witfonday, promising to satisfie them, before that time, either with lands or moneyes, to their contentment.

I haue not heard from Robert Makbrair, but this day I saw a letter of the earle of Niddisdails to Alexander Maxuell, his agent, willing him to deale with Maister Thomas Hope, to perfite your contract of excambium, and other securities, according to your agreements. So, till farther occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to  
serue yow,

MELROS.

Edinburgh, 2 October [1623?]

His maiefties letter to the magiftrats of Edinburgh wes deliuered in due time. I dowt not but themfelues will giue accompt of their obedience.

I begin to find myfelf verie vnfit for trauell, and that cold doeth me much harme in winter, and therefore, muft be fo homelie as to pray your lordfhip, to informe Sir James Baillie, what furies will be fitteft for myneck and bodie, that he may buy them for me, and at his returne I fall giue him what he fall difburfe.

This morning Maifter Thomas Hope hes told me that he is forced to delay the finifhing the contract of excambium, whill he receiue anfuer from Robert Makbrair and William Hayning, to whom he wrote to meet with fome of the earle of Niddisdails freinds, and try and report to him, in writ, the trew eftate of the lands, fuperioritie, and propertie, and rent therof. He hes alfo wretin to the earle of Niddisdail to fend the writs of Caftlemilk, that he may perfite your lordfhips fecurities therof.

To my verie honorable good Lord,  
my Lord Vicount of Annand, at  
Court.

CCCXIX.—THE LORDS OF PRIVY COUNCIL TO THE LORD CHANCELLOR.

AFTER oure verie hairtlie commendationis to your goode lordfhip, your lordfhip rememberis, how, that in the moneth of Auguft laft, the kingis maieftie, haueing recommendit vnto ws the tryeing and pvnifheing of the infolence and misbehauour of his maiefties fubiectis, in that mater of the Dunkirk fhip, brynt at Leethe, according to the natur and qualitie of the feueral offenfis, concurring in that earand, we, by oure anfwer, returnit vnto his maieftie, excuifit oure felfis, anent oure not proceeding thairin at that tyme, in refpect of the inportance of the bufynes, whiche requirit the prefence and heiring of a frequent nomber of the nobilitie and counfell; and that the feafoun of the yeir wes fuche, that it threatned a laite

and bruckle haruest; and promise wes maid vnto his maiestie, that, at the beginning of this fessioun, that mater shold be putt to a point. Bot now, we, haueing confidderit that this persuite and tryale will stryke cheiflie agans the magistrats and bodie of the burgh of Edinburgh, and being doubtfull, yf his maiestie, will allow of the said burgh as a fitte and conuenient place for prosequitioun of that tryall, we ar thairfor verie desirous to be consultit, and resolued by his maiesteis cleir and excellent iudgement in this point; and for this effect, we will eirnistlie requeist your goode lordship, at some fitte oportunitie of his maiesteis laiser, to found his maiesteis opinioun thairanent, to the intent that accordinglie we may conforme our felfis thairunto. Your lordship knowis that thair wilbe a verie grite difficultie in the discouerie of the principall aetoris and offendaris in this bussynes, seeing we haif none to gif ws ony light nor informatioun thairin; and these who wer agentis, and thairby pretendit to haif interestie in the fame, hes neuer troublit thame felfis thair-with, nor neuer dilaitit nor gaif vp to ws the name of ony one guiltie persone, and thay ar now at courte. Alwayes, thair falbe no thing wanting in ws, quhairby, according to oure bundin dewtie, we may gif vnto his maiestie satisfactioun heirin. And so, attending your lordships answer, with the remembrance of oure best and hartiest affectionis, we committ youre lordship to the protectioun of the Almightye. Frome Edinburgh, the fast day of Nouember 1623.

Your Lordships verie loving and assured goode freindis,

MELROS.

J. ERSKYNE.

KILSAYTH.

A. MAR.

ROXBURGHE.

LAUDERDAILL.

W. OLIPHANT.

AR. NAPER.

To the right honorable, oure verie  
goode Lord, Sir George Hay of  
Kinfawnis, Lord Heigh Chancellor  
of Scotland.

## CCCXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a presentatioun, signed be youre maiestie, and gevin in to be exped be ws, in fauouris of George Quhytheade, by the whilk your maiestie wes pleifed to present him as tennent and vassal to the Lord of Coldinghame, in the landis of the Northfeild of Coldinghame, with the teyndis thair of includit, whilkis fell in your maiesteis handis, by the foirfeytour of the laite Earle Bothuill, whereof some notice being gevin to the Earle of Hoome, and the Countesse, his moder, and thay pretending to haif speciall interesse in the busynes, thay maid earnest sute vnto ws that thay might be hard afor the presentatioun wer exped, wherin thay being fatiffed, as a point whilk, in a mater of this kynd, could not with refoun be refused, and a dyet being appointit vnto thame, and to Frances Steuart, sone to the said laite earle, be whome this busynes, for the pairt of the said George, wes solicited; and the said dyet being accordinglie keeped be thame and thair procuratouris, the one very instantlie vrged the benefeit of youre maiesteis presentatioun, and the other, with the lyke instance, vrged the stay of the same till your maiesteis awne pleasure wer knowne; and diuers ressonis wer proponned, *hinc inde*, in that mater, whilkis, with the importance of the busynes, being at lenthe considerit be ws, we fand it more expedient, for the weele of bothe pairtyis, that the presentation should stay some certane space, till youre maiestie, after consideration of thair ressonis, *hinc inde*, fould, oute of your awne cleir and sound iudgement, direct ws how to proceed thairin, nor rashlie to gif way to the said presentatioun, whilk might breid proces and pley betuix the pairtyis, and trouble and fasherie vnto your maiestie. Whereupoun it wes desirrit, for the pairt of the Earle of Hoome, and the Countesse his moder, that thay might haif the fauour to send vp thair ressonis, in write, to your maiestie, for your better informatioun anent the trew estate of this mater; whilk being grantit vnto thame, and lyke-



wayes vnto the said Frances, and this present nynt of December being appointed vnto thame for geving in their ressonis, in write, to haif bene fend vp heirwith, we ar informed, that, in this meantyme, the said Frances in perfone, and the Earle of Hoome, be a feruand, hes tane thair iornay, and ar vpoun thair addresse towards your maiestie, without geving in of thair ressonis to ws; and so, leaveing thame to thair awne informationis, these ar onlie to acquent your maiestie how far wes proceedit in this busynnes befor ws. And praying the Almighty God to watche ouer your sacred perfone, and to blisse your maiestie with mony lang and happie yeiris, we rest for euer

Your Maiesteis most humble and obedient  
subiectis and feruitouris,

MELROS.

W. OLIPHANT.

KILSAYTH.

LAUDERDAILL.

AR. NAPER.

A. HAMILTON.

Edinburgh, 9 December 1623.

To the King his most sacred and  
excellent Maieftie.

CCCXXI.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

MY HONORABLE LORD,

ITT is not verie long since I vrett to your lordship, anent the election of a Justice Clerk, and now I perceawe that his majestie, by his happie choyce of Sir Archibald Naper (a worthie gentleman, and a conscientious), hath bene both informed and furthered to do so by your lordship; quherin your lordship hes performed a worthie vork, and ac-

ceptable to God, and a singular seruice to his majestie, and ane exceiding great plesur to your countrymen. And now, haweing proof of your lordships goodnes, and respect to further good errands, I am bold to trouble your lordship with a poor petition for my self, quhilk is this: your lordship shall be aduertified that I have serued this fax yeirs to his majestie as Justice Deputie, hawing onlie the fie of v<sup>e</sup> lib. Scot, quhilk is both fo litill and fo badlie paid, that, in effect, it seemis nothing, 3a, scarceilie sufficient for my fervant, fo exorbitant ar the pryces of all thingis in this part; and the Lord knois that, of vther casualities, I have not on penny, becaufe all the casualities of the place belong directlie to his majesties thesaurer; so that my service and attendance is great, and my allowance fo litill, that I can not do it, by any means, without my great preiudice. Therefore, I am to entreat your lordship, that, owt of your lordships accustomed goodnes, 3e vold spaik on fauourable vord to his majestie for me, and that he vold direct the Earle of Mar, theforer, and Sir Archibald Napier, his maiesties thesaurer deput, to consider of my particular, if ather my information be fals, or if the dignitie and burden of the place requyrs not sum further consideration, that I may be the better encouraged and enabled to serue his maiestie in all sycerite and humilitie: This fauer I expect of your lordship, and that it would pleis your lordship to obliſh a scoller, that honores your lordship, so far as ony lord living, and shall mak it known, be sum speciall testimonie, how far I ame your lordships deuoted seruaut. In this hoip of your lordships fauerable report to his maiestie of me, I will rest, still vising to your lordship all health and happines, as earnestlie as I shall euer rest

Your Lordships humble and affectionate seruant,

AL. COLVILL.

Edin. xi December 1623.

To the right honorable his special good  
Lord, my Lord Vicount of Annand.

## CCCXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAINE,

WE received your maiesties lettre, of the third of December, by the whiche, your maiestie wes pleased to command vs, to try and informe our selffs, if your maiesties lands in Orkenay and Yetland may be raised to any considerable greater rent, *communibus annis*, then Sir John Bughannan payeth for the same, without heighting of the tennents to a greater dewtie, then they payed to the erles of Orkenay, or ar able to pay; and if thair be no appearance thair of, that then we fuld advyse, if it be expedient, to sett the saids lands in fiew for the said rent, and to returne our opinions thairanent vnto youre maiestie. Vpon the reslait of this lettre, we enterit to a consideration of the first pairt and article thair of, and hauing hard youre maiesties thefaur deput (who hath bein verie cairfull to informe himself of particulars for your maiesties forder benefit), and having learned vthervyse what we both, out of our owne knowlege, and by the information of fuche indifferent gentlemen of the cuntrey, who have no entrefs in the busines, we find, that (howfoeuer in thir yearis, when in extreame scarcetie hath raised cornes to ane exceffive pryce and dearth), a provident takisman may receave a good superplus aboue your maiesties rent, if he can get full payment of the haille fermes, whilke hath naither bein done these last yeares, nor is it to be expected in any pairt of this kingdom, till it pleas to send better seasons and greattar plentie, by whiche cornes being brought againe to thair vsuall pryces, we think that rent the vtter avall whiche may be had for these lands, without highting of the tennents, who ar well knowne to be, for the most pairt, verie poore people; and who culd neuer be able to pay the duties wherto the Erles of Orkney, respectiue aneuch of thair awin profite, have raised them, and which they now pay, if thair poore forme of living, speciallie in taking and feeding on fishes, did not enable them. And we hauing lykewyse conferrit the

prefent eftait of the tennents, and the oncertaintie of the rent, with the affurance and conftancie of a fettled rent, that will aryfe from the fiewing of the lands, wee ar all of ane opinion, that it is moft expedient for youre maiefties hon[or, and] good of the cuntrey, and fetling of ane conftant and onchangeable rent to your maieftie, that the lands be fiewit for the dutie that is now payit to your maieftie, for the fame whilkes particulars, remitting to youre maiefties wyfe and princelie confideration, etc.

CHANCELAR.

MAR.

MORTOUN.

SANTANDROIS.

ROXBURGHE.

MELROS.

LAUDERDAILL.

CARNEGIE.

KILSAITHE.

W. OLIPHANT.

A. HAMILTOUN.

AR. NAPER.

Edinburgh, 20 January 1624.

Copy—The Counfaills letter to  
hes Maieftie concerning the  
heighting of the lands and  
Earlldome of Orkney.—1624.

CCCXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refett of your maiefteis lettre of the fourte of Februar laft, towcheing the Middlefhyris, we appointit a meeting of the commissioneris to be heir at Edinburgh, vpoun the xxiiij of this instant, alfweele for ane accompt to haif bene gevin be thame, in fuche pointis exprefit in your maiefties lettre, as concernit thair charge, as for thair

aduise and opinioun to be gevin to ws, in the remanent pointis of the said lettre recommendit vnto ws. Whiche dyet being accordinglee kepted be the Earle of Bugcleugh, the Lord Cranstoun, James Maxwell of Kirkconnell, Sir Andro Ker, Sir Williame Seytoun, and Sir Johune Murray of Phillapbaugh, (the Lairds of Lag and Amiffeld, being vpoun some necessair occasionis excusit); and your maiesties missiue being punctuallie red vnto thame, and euerie article thair of weele considderit and aduist, and first that point anent idill livaris, who hes found caution for their dewtifull behaiour, becaus, in the tryall of their contrauentiounis, findrie thingis may be interprete to be a contrauentioun, and to infer the penaltie of their band, quhair of the nature and qualitie of the offence, will not, by rigour of iustice, deserve suche a pvnishment; we haif thairfor, with the commissiounaris awne consent, authorized thame, with warrand and authoritie, to conueene befor thame all suche personis, within the boundis of their office, as by their transgressionis hes violat their cautionaryis, and to tak particular tryall and notice thair of, and of their present estate, and quhat hes bene their bipast lyffe and demeanour, sen the finding of their caution, to the intent, that, after consideratioun of the nature of the transgres, and qualitie of the persone, we may modifie the fyne accordinglee. And towcheing these that hes not found caution; becaus it is lyke anewgh that some of thame (althoght their bipast behaiour hes bene blameles) can not gett caution, we find it hard, that personis of this kynd falbe subiect to the rigour of the act of transplanting; and thairfor we haif recommendit vnto the commissiounaris to informe thame selfis how mony of thir personis ar alyve, quhair, and by quhat meanes thay live, and quhat hes bene their behaiour sen thay fould haif found caution, and to mak reporte thair of vnto ws, that thairafter we may gif directioun anent thame accordinglee.

The secound point of your maiesties lettre, towcheing the promiscuous libertie tane be all personis at their pleasour, to repair to and fra Irland, quhairby malifaetouris hes the meanes to eschew the hand and fraik of iustice, hes bene verie aft debaitit at the counsell table, and diuers meetingis and conferenceis hes bene had vpoun that subiect, be personis selectit for the purpois, without ony certane conclusioun; and at

laft ane commiffioun wes gevin to twa men, who vndertooke, be thame fellis and thair deputie, to attend at all the fea portis towards Irland, and to be anfuerable that nane bot laughfull perfonis and goodis fould be transported; bot this commiffioun turned firft in ane abufe and grevance to the fubiectis, and thairafter wes altogidder defertit and left; and we haueing at lenthe conferrit with the commiffionaris heirupoun, we ar all of opinioun, that the fatling of ane conftant ordour, in this mater, will depend vpoun a mutuall correffpondence to be kept with ws at the oppofite coift in Irland, wherin, becaus the aduife of fome of the vndertakaris for the Irifhe plantatioun, and of the commiffionaris for the Middlefhyris, with fome of the burrowis in the weft cuntrey, is requifite, we haif appointit a meeting to be heir at Edinburgh, in the moneth of July nixt, for that earand; and we haif writtin to the Vicount of Ardes, the Lord Clanebewye, to fend heir fome fufficient gentlemen for thame to this dyet, inftitutit with thair beft aduife and opinioun, concerning this buflynes; and we haif lykewayes writtin to the refl that ar in this cuntrey, and we hoip, that at this meeting, fuche a goode courfe falbe refolued vpoun, as fhall procure youre maiefties contentment and goode of the cuntrey.

And towcheing the thrid point of your maiefties lettre, anent the repairing of fugitiues and fufpect perfonis, to your maiefties courte, for efchewing of tryall, thair hes bene findrie proclamationis maid to that end; and we haif now, with the commiffionaris aduife, gevin warrand vnto thame to mak a cleir roll of all the fugitiue names within thair boundis, and to fend the fame to courte, to fuche a perfone as your maieftie fhallbe pleafit to mak choife of, who fhall apprehend all fuche perfonis contenit in the roll, as hes not a note vnder the hand of the commiffionaris clerk, that thay haif abiddin thair tryall, and bene acquate of all crymes, preceding the dait of the roll, wherin thair names ar contenit, and euerie fuche perfone that falbe fo apprehendit and fend home, fhallbe examplarie pvneift.

Whereas informatioun hes bene maid to your maieftie, that commiffionis hes bene gevin to priuat men, within the Middlefhyris, for tryeing and pvnifheing of offendouris, to the preiudice and diferedite of your

maiesties awne commissiounaris, your maiestie shalbe pleisit to knowe, that thair hes bene no commissiounis of that kynd grantit, bot one to the Earle of Roxburgh, aganis his awne remouable tennentis, and for the space of ane yeir allanarlie, whose place and worthie behauour, in all materis recommendit to his charge, and speciallie in this seruice, wherin he bearis a burdyne with ws, moued ws to entruste him with that commissioun, and whiche now, vpoun the knoulege of your maiesties pleasour, he hes renuncieit and discharget. Bot where baronis infest with priuilege of pitt and gallous, apprehendis a theif with a fang, and neglectis the tyme deu for his tryall, whilk is xxliij houris, we, with consent of the commissiounaris, do think it more expedyent to gif commissioun to suche a baroun for doing of iustice vpoun a malefactour of that kynd, nor to referue him to the tryall of the commissiounaris courtis, becaus it often fallis oute, that thir beggarlie thevis hes not of thair owne to interteyne thame, and fwa thay must owther ly vpoun the baronis charge, or then sterve for hungar; and of this kynd thair hes onlie bene twa commissiounis past, one to the Lord Garleis, aganis a theif, apprehendit be him, with a fang; and ane other to the Laird of Johnneftoun, aganis a theif of this fame kynd. Anent granting of remissionis to bordour men for hacquebutis and pistollettis, thair hes no suche remissionis bene grantit, nather fall ony be grantit in tyme comeing.

And towcheing the last point of youre maiesties lettre, anent the disarmeing of the Bordour men, we, and lykewayes the commissiounaris, ar of opinioun, faulffing your maiesties more excellent iudgement, wherunto we fall conforme our selfis, that it is not expedyent that these who hes found caution, and levis vnder the obedience of law and iustice, falbe subiect to this article, becaus that wilbe a speciall meane to waikine the cuntrey, and to mak the inhabitantis vnfit for seruice, vpoun ony interuening occasioun, as indeid thay ar presentlie reducit to that estait, that thay haif nowther houe nor armour; alwayes, we haif gevin ordour that all these who hes not found caution falbe disarmed, wherwith the commissiounaris ar contented.

This being our opinioun and answer to the particulaire headis of your maiesties lettre, we humelie present the same to your maiesties considera-

tioun ; and, prayeing the Almighty God to bliffe your maieftie with  
mony lang and happie yeires, we reft

Youre Maiefteis moft humble and obedient  
fubie&ctis and feruitouris,

GEORGE HAY.

BUCCLEUCHE.

A. MAR.

MELROS.

AR. NAPER.

PERTHE.

ROXBURGH.

LAUDERDAILL.

W. OLIPHANT.

Edinburgh, 23 Martij 1624.

To the King his moft excellent and  
faced Maieftie.

CCCXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THIS inclofed lettre being fend vnto ws be Sir James Spens,  
knight, and we haueing red and confidderit the fame, and finding the  
contentis and defire thairof, to dip vpoun pointis, wherin, fome of youre  
maiefties confederatis may pretend thair priuat intereffe, and we not being  
refolued how far the fame may towche the goode correfpondence ftanding  
betuix youre maieftie and thame, we haif forborne to med[le] thairwith,  
and hes heirwith fend vp the letter to youre maieftie, to the intent that  
youre maieftie, after aduifed perufall and confideratioun thairof, may re-  
folue vpoun fuche ane equall courfe thairin, as youre maieftie, in youre  
princelie wifdome, fhall hold fitting. And fo, continewing oure eirnist



prayers vnto God for youre maieſteis lang, happie, and bliſſed reigne,  
we reſt for ever

Youre Maieſteis moſt humble and obedient  
ſubieſtis and ſeruitouris,

GEORGE HAY.  
LINLITHGOW.  
PERTHE.

MELROS.  
WIGTOUNE.  
CARNEGIE.

Edinburgh, the 28 of Apryle 1624.

To the King his moſt ſacred and  
excellent Maieſtie.

Indorſed:

“ The Counſell concerning a  
lettre ſente by the K. of  
Sweden.

“ 28 Aprilis 1624.”

CCCXXV.—LICENCE BY KING JAMES VI. TO THE EARL OF NITHISDALE.

JAMES R.

RIGHTE truſtie and righte welbeloued counſellour, and righte  
truſtie and righte welbeloued coſen and counſellour, wee greete yow well:  
Whereas for certeyne good reſpectes and reaſons, to our ſelfe knowne, wee  
haue bene pleaſed to giue licence to our righte truſtie, and righte wel-  
beloued coſen and counſellour, the earle of Netheſdale, to trauelle  
and be abſent oute of our dominions for ſome time, wee haue thoughte

good, by these præsentés, to require yow to holde hand, and haue a speciall care that, during his said absence, he receaue no wrong, eyther in mater of iudicatorie or otherwise; and in speciall, if anie of his creditouris shalbe so importunate as to craue their principall fumes in the time of his said absence, that yee wold deale with them to accepte of their iuste annual for a reasonablen time, at leaste, for one year. And, not doubting of your speciall care herein, as in a mater moste earnestlie by vs recommended to yow, wee bid yow farewell. Giuen at our mannour of Grenewich, the 21 day of Maie 1624.

To our righte trustie and righte welbeloued counsellour, Sir George Hay, knighte, our Chancellour; and to our righte trustie and righte welbeloued cofen and counsellour, the Earle of Melros, our principall Secretarie of our kingdome of Scotland.

CCCXXVI.—EARL OF NITHISDALE TO THE EARL OF ANNANDALE.

MY NOBLE LORD AND BROTHER,

IN all the particulers that conferne his majestis service wpon the Borders, Johne Yowng haith tham to delyver to yow: sum wthers which ather concerns me in particuler, or us bothe, he haith leykweys. I did intend to have helped my distressed estet be his majesties favor in Irland, which I have requistit Mr Grahme, when my Lord Duik fall have recovered perfytt health, to present wnto his lordship, which Alexander Gordon will follow. That which I am to intreat of yow, for the present, is to dispatche Johne Yowng home, and that these munis which the duik will giue, may be remembered wpon as your lordship finds fitt occasion, without importunating, becaus, with much moir, it is freilie bestowed; when the sam fall be had, yow fall relive my ring with two hundreth punds, and

pey thre hundreth, which yowr selfe and James haith bond yowr selves for me: the rest fend home, or delyver to Archibald Boyl, for payment of interes to thes I am adetted to at home. Yow must leykweyfe procur my lord ducks letter to fend home to confort my wyfe, with letters to the chanfaller and presedent of Scotland, shewand, that, durand my absence, his grace will be protectōr of what concerns me, and, in that kynd, intreats their favor. What other thing fall occour, quherinto yow think fitt to be trubillsome to his grace at his majesties hand, I know yow will find noe lothing at his hands if it concerns me. Thoght yow apprehend that discontented humors possēssis me, I craue no moir at Gods hands, for the weall of my hous and cheyld, bot that his grace may have long and good healthe. My facred maister, and our prinse, whom God long preserve, being alyve, in yowr brotherlie cair, I haue full confidence, and remits to yowr selfe all my privat affairs, to be disposed as yowr lordship thinks fitt, I fall be ever

Yowr Brother to serve yow,

NITHISDAILL.

Denmark Hous, May the xxviii, 1624.

I must intreat yowr lordship will reid over ane letter sent to me be Sir James Macdonnell, and intreat his majesties confideration of his estat. I have tauld him that he neids not fear bot his majestie will provyd, in his oun tyme, to supple his defeysrs.

To my noble Lord and Brother, the  
Earle of Annandail, Thefe.

CCCLXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE importatioun of foreyne victuall hes bene so frequent and commoun, and in so excedding grite aboundance and quantite, thir tua

or three yeiris bigane, as the most pairt of the moneyis of this kingdome hes bene exported and bestowit to that vse, wherupoun hes followit suche ane scairftie and penurie of money, that numberis of your maiesties subiectis, of all rankis, whose burdynis straited thame at this terme, and who wer willing and resposnall, in landis and goodis, to haif gevin vnto thair creditoures satisfactioun, wer, to thair grite greiff, dishabled, through the scairftie of moneyis, to do the same. The consideratioun quhairof, moued ws, vpoun the humble petitioun of Williame Dik, and Williame Wilkye, burges of Edinburgh, who wer speciall importaris of this victuall, and had suche ane quantitie thair of lyand vpoun thair hand, and readdie to spill, be reafoun it wes fa foone broght in, and thair wes few or nane to buy it, to grant vnto thame ane licence, for exportatioun of ane certane quantitie of the same victuall, especiallie qubyte, whilk wes the grayne the cuntrey floode least in neede of, and wherwith thay vndertooke to bring in money, or, gif the necessitie of the cuntrey should require, the double quantitie of any other soirt of victuall, whilk wes more vsfull for the cuntrey. And thay, having laidnit tua shippis with this victuall, and being vpoun thair course towardis thair porte, expecting nothing les then any hurte frome ony, with whome your maiestie yitt standis in termes of freindship and correspondence, thair shippis wer, notwithstanding, persewed, boordit, and tane, be tua warre shippis of Dunkirk, and caryed in to the toun of Dunkirk, where the shippis and goodis ar maid laughfull pryife. This is a mater, whilk, in oure humble opinioun, wald be narrowlie aduertit and looked vnto, not so mekle for the priuat interesse of the tua honnest men, who ar heirby verie far dammified, as for the publiet interesse of the whole marcheant estate; for gif this be tolerate, and gif the forder course and progres thair of be not interruptit, the whole foreyne commerce of this kingdome, whilk, for the maist pairt, is interteyned with Holland, wilbe shaikin louse, and cutt af, to the vndoing, not onlie of the marcheant estate, bot to the grite hurte of the rest of the kingdome. And thairfoir, wee will, in all humilitie, prefoome to recommend this mater to your maiesties princelie and wyfe consideratioun, humblie beseecheing your maiestie to tak suche ordour thairin, as, in the excellencie of your princelie wisdome, yow fall hold fitting, quhairthrow

the honnest men may be redrest, and restorit to thair shippis and goodis,  
and the lyke of this attempt forborne heirafter. And so, with the con-  
tinewing of our vncessant prayeris to God for your maiesties lang and  
happie reign, we rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
AL. ELPHINSTON.  
AR. NAPER.  
A. HAMILTON.  
HAMILTON.  
KILSAYTH.  
MELROS.

LAUDERDAILL.  
R. COKBURNE.  
W. OLIPHANT.  
CARNEGIE.  
J. ERSKYNE.  
A. GIBSONE.

Halyruidhouse, the fiftene of Junij 1624.

To the King his most sacred and  
excellent Maiestie.

CCCXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, conforme to your maiesties direction, commandit chargeis  
to be direct againis Maister Robert Boyde, and the rest of the ministeris

and otheris, whome your maiestie ordanit to be confyned, for their compeirance befor ws, vpoun the tuentie fourt of this instant, to haif hard your maiesties will anent thair confyneing, declairit vnto thame, the said Maister Robert getting notice heirof, not onlie prepared himselff for a present obedience, and is this day vpoun the removing of his houshold and familie, bot to preveene the dyett, he presentit himselff befor ws, and by his petition humblie desyrit that he might be now hard, and your maiesties will declairit vnto him, and that he wer not vnnecessarlie forced to attend till the said tuentie fourt day, whilk wes grantit vnto him. In his petition, he cleired himselff of findrie imputationis, whilkis, as he alledgeis, ar obiected agains him, as, namelie, that of the priuat meetingis and conventicles within Edinburgh, of the whilkis he protested, bothe by word and write, and vpoun his grite oathe, that he wes ignorant and innocent, and that he nouthr assisted thame with his prefence, nor allowed of thame, nouthr yitt busfied himselff with thir churche materis, nor had no dealing with ony of the burgh of Edinburgh, nor no otheris thairanent, bot behaved himselff so calmelie and soberlie, as possiblie he could, eshewing all occasionis, companyis, and meetingis, whilkis might give the least mater of offence. And whereas he pretendit the necessitie of findrie his adois throughout the whole shirefdome, and the rather, for that he had a stranger to his wyffe, of whose contentment, befydis the educatioun of his childreene, he behooved to haif a cair, and that he could nouthr be accommodat with the one nor the other, within the boundis of Carrick. Wee having hard and considderit of his petition, wee wald not prefoome to enlarge his confyneing without your maiesties allowance, bot hes referued the same to your maiesties awne goode will and pleasure, wherein gif your maiestie falbe gratioufullie pleased to fauour him, oure simple opinion is, that no harme can follow thairupoun, and gif thairafter he sal happin to oversee himselff, whilk wee looke not for, and sua fall proue vnworthie of that fauour to be shawne be your maiestie vnto him, your maiestie, vpoun knowledge thairof, may give directioun for his forder restraint, as your maiestie fall think goode; bot remitting this to your maiesties consideratioun, and humblie craving pardoun for this our presumptioun,

we humble pray God to blisse your maiestie with mony long and happie  
yeiris, and wee rest for euer

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.

MELROS.

KILSAYTH.

AL. ELPHINSTON.

AR. NAPER.

A. HAMILTON.

HAMILTON.

LAUDERDAILL.

W. OLIPHANT.

CARNEGIE.

J. ERSKYNE.

R. COKBURNE.

Halyrudhoufe, the fiftene of  
Junij 1624.

To the King his most sacred and  
excellent Maiestie.

CCCXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes of lait fallin oute, within the burgh of Dunfermlyne,  
vpoun the xxv day of Maij last, ane most lamentable and fearefull ac-

cident by ane suddane and terrible fyre, whilk araife within the same, and continewed so violent, for the space of foure houris, as no foirfight nor strenthe of man wes able to resist it, sua that the poore inhabitantis, who, with mutche flyryeing and extreame hafaird of thair lyveys, opposed thame selfis aganis the violence of the fyre, wer constrayned, in end, to yeild to necessitie, and to be spectatouris of this fearefull visitatioun, wherin the whole body of the toun, whilk consisted of ellevin fcoir of tenementis, and fouretene fcoir and fevin famileis, wes, within the space foirfaid, brynt and consumed, with the wholl plenneffing of the houffis and the barnis about the towne, wherin thair wes fyve hundreth bollis of victuall; wherby this poore toun, haueing within it fevin hundreth communicantis, with faxtene fcoir of bairnis, of whome the eldest is not past sax yeiris of aige, is totalie ruyned and vndone, and the poore inhabitantis, who wer a companie of industruous and verteous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miserye, that no thing is left thame bot the cloathis vpoun thair backis, without houe or holde to repoise thair languisheing bodyis in, as some of ws, who hes seene the defolatioun of this poore towne, can beare record. We haif beene verie solist and cairfull for a supplee to this poore toun, and hes begvn, oure selfis, to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate. And whereas this gentleman, your maiesteis auld seruand, hes, at the earnist desyre of the poore toun, vndertane to represent vnto your maieftie the defolat estate and conditioun thairof, thay haif petitioned ws, that be him we wald gif notice vnto your maieftie of the trewth of this mater, whilk, in a mater of this kynd, we could not weele deny. In the meanetyme, we fall haif a cair that the moneyis quihilkis falbe contributed for this earand, falbe providentlie mannaged, and rightlie distributed, according to the qualitie and necessitie of the pairtyis interessid; and in euery other thing, whilk may procure the conforte and releiff of that poore toune, no thing falbe inlaiking in ws, whiche to oure charge and placeis apperteynis. And so, with our humble prayeris vnto God, re-



commending your maiestie, and all your royall and princelie adois, to the  
 protectioun of the Almightie, we rest for ever

Your Maiesteis most humble and obedyent  
 subiectis and fernitouris,

GEORGE HAY.  
 JA. GLASGOW.  
 WIGTOUNE.  
 A. MAR.

LINLITHGOW.  
 MELROS.  
 GLENCAIRNE.  
 BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the King his most sacred and  
 excellent Maiestie.

CCCCXX.—THE LORDS OF PRIVY COUNCIL TO THE PRINCE OF WALES.

PLEAS YORE HEIGHNES,

It hes bene the goode pleafour of God, laitlie, vpoun the xxv day  
 of May last, to visite youre heighnes toun of Dunfermyne, with a most  
 lamentable and fearefull accident, by a fuddane and terrible fyre, whiche  
 araife within the same, and continewed so violent for the space of foure  
 houris, as no humane witt, strenthe, nor foirfight, wes able to resist it;  
 and within this space the whole body of the toun, whiche consisted of  
 ellevin scoir of tenementis, and foureteene scoir and fevin familieis, wes  
 brynt and consumed, with the wholl plenneffing of the housis, befydis the  
 barnis about the toun, wherin, thair wes fyve hundreth bollis of victuall,  
 whereby this poore toun, sometyme a floorisheing member of the body of

this commounweele, and haueing within it fevin hundreth commvnicantis, with faxteene fcoir of bairnis, of whome the eldest is not past fax yeiris of aige, is totalie ruyned and vndone, and the inhabitantis, who wer a companie of vertuous and industruous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miserie, that no thing is left thame, bot the cloathis vpoun thair backis, without houe or holde to repoise thair weyreit bodyis in, as some of ws, who hes seene the defolatioun of this miserabile toun, can beare record. We haif bene cairfull, as become ws, for some supplee to releuee the present necessitatis of the towne, and we haif begyn oure selfis to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate ; and we fall haif the lyke cair that the moneyis, quhilks falbe contributed for this earand, falbe prouidentlie managed, and rightlie diftributed, according to the qualitie and necessitie of the pairtyis intereffed. And whereas this gentleman, your heighnes darrest faderis auld seruand, hes, at the eirnist defyre of this poore toun, quhair he had his residence and duelling, vndertane to represent vnto your heighnes the defolat estate and conditioun thairof, thay haif petitioned ws, that be him we wald gif notice vnto youre heighnes of the trewthe of this mater, whiche we could not weele deny, and the rather becaus the towne is youre heighnes awne. And so, praying the Almightye God to watche ouer youre heighnes persone, and to blisse youre heighnes with mony lang and happie yeiris, we rest

Youre Heighnes most humble and  
obedyent feruitouris,

GEORGE HAY.  
JA. GLASGOW.  
WIGTOUNE.  
A. MAR.  
LINLITHGOW.

MELROS.  
LAUDERDAILL.  
GLENCAIRNE.  
BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the Prince his Heighnes.

## CCCLXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

ACCORDING to your maiesties directioun, wee called before ws the Lordis Boyd and Blantyre, Sir James Cleland, Maister Patrik Walkinsha, and a nomber of the takkismen of the kirkis of Monkland and Calder, and first wee examined thame vpoun thair greevis, and what ony of thame had to propone or alledge agains others. Sir James Cleland complenit, that he being heretable infest be your maiesties chartour, vnder your grite feale, in the landis and baronie of Monkland, with the right of patronage of the kirkis of Monkland and Calder, boght be him at a deare rate, and wherunto he had the consent of Maister Patrik Walkinsha, titulair of the benefice, and accordinglie, hes bene in peaceble and vncontraverted possessioun thir sevintene or eightene yeiris bigane. That notwithstanding, the Lord Boyd had vnkynndlie procurit a new infestment frome your maiestie of this fame patronage, vpoun the dimissioun of the said Maister Patrik, and so hes broght the said Sir James to a neidles proces of law for defence of his infestment, and possessioun following thairupoun. The Lord Boyd excuifis him selff, bothe of vnkynndnes, and other wrong alledgeit done to Sir James, affirmeing that he hes done nothing in this particulaire, bot that whilk ony other subiect might laughfullie haif done, for the said Maister Patrik being willing to haif maid furrender of the benefice, the said Lord Boyd delt with him thairanent, procurit the said furrender, and the consent of the bishop and chaptour of the kirk of Glasgw thairunto, and thairupoun purchest your maiesties infestment, vnder your grite feale, whilk he produceit befor ws; declairing, that gif Sir James infestment be valide, and gif the fame may be sustenit, be cours and ordour of law, that then his infestment, whilk is posteriour to Sir James, can not preiudge him. The Lord Blantyre his interestte is grounded vpoun a conditioun and promeis, alledgeit maid to him be Sir James, not to quarrell nor impugne his takkis; and feing, he hes no suche promeis of the Lord Boyd, he apprehendis some feare to be

quarrellit, whilk will draw vpoun him a warrandice of all the takkis maid be him to his fubtakkifmen. Wee having at lenth hard thame vpoun thir pointis, at tua or three meetingis, whilkis wee had with thame thairanent, wee earneftlie delt with thame to haif drawne thame to a fubmiffioun, wherin we wald haif proceedit fo indifferentlie and confcientiouslie, as nane of thame should haif had iust caufe of offence. The Lord Boyd offerit to fubmitt, for his pairt, to freindis. The other tua declynit the fubmiffioun; the Lord Blantyre alledgeing, that he had no mater to fubmitt, and that he wald stand to the defence of his takkis, be ordour of law. Sir James altogither refuifit the fubmiffioun, as a mater whilk threatnit his vtter wrack and ouerthrow, becaus he wes bundin, and floode obleift to the takkifinen in the contrair; for verificatioun quhairof, thair wes fyve or sex contractis produceit befor ws. As for Maifter Patrik Walkinsha his behaviour in this particulair, he preaffes, by some friuolous evafionis, to clear him selff thairin; bot the trewth is, that first he gaif his consent to Sir James Cleland, his authour, and now hes maid a furrender in fauouris of the Lord Boyd. This being all that we could do in this buffynes, we humblie present the same to your maiesties confidderatioun; and quhat forder your maiestie shall command to be done heirin, vpoun the significatioun of your royall will and pleafoure, it shalbe obeyit. And fua, with our most fervent prayeris vnto God for your maiesties long and happie reign, we rest

Your Maiesties most humble and obedient  
fubiectis and feruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.  
JA. GLASGOW.  
AR. NAPER.

Halyruidhouse, the 25 of Junij 1624.

To the King his most sacred and  
excellent Maiestie.

## CCCLXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maiestie was gratiouſlie pleaſit to recommend to our tryall, the informatione maid agains James Arnot, be his creditors, who, alledging that the ſaid James haifing maid over ſome pairt of his eſtait, in truſt, to confident perſones, *in fraudem creditorum*, did thairvpon craue to haue his bodie delyvered, to be tranſported from Bervick, whidder he had his refuge, for ſafetie of his perſone, to be incarcerate heir. Wee haue bein cairfull to proceed exactlie in that examinatioune, and to uſe all meanis of law, which might ſerve for the diſcouerie of ſuch fraudfull alienatiounes (gif any wes), and for that end, grantit ſummondis to the ſaid James, for ſummonding his haill creditouris: efter whoſe citatioune and compeirance in our haill preſencis, we tryit and found, that theſe imputatiounes wer not warrantable, bot that the ſaid James had trewlie gevin and diſponit all his awin eſtait and guidis, and alſo the haill guidis, geir, and landis, which perteinit to James Dalzell, for payment of the debtis of the ſaid James Dalzell, for whome he was furetie, and for whoſe debt he hes payit the ſomme of fourſcoir and ſevin thowſand merkis, Scottis money, by and attour the ſaid James Dalzell his awin guidis and geir: Swa, that no pairt of his eſtait was entrufte be him to any perſone in prejudice of his creditouris, bot himſelfe redacted to that pinch, that, for ſafetie of his perſone from imprifonement, he hes retired to Bervick, whair he leivis vpon the benevolence and charitie of his freindis, and by ſuch ſupplie as thair compaſſionat pittie of his indigent eſtait enforcis thame to miniſter to him for the entertainment of his lyfe: which, out of our bound dewtie, we doe preſent to your maieſtie, as ane ac-

compt of our proceedingis in that buffines ; and with our fervent prayeris  
to God for your maiesties long and happie reigne, we rest

Your Maiesties most humble and obedient  
subiectis and servitouris,

GEORGE HAY.  
MELROS.  
LAUDERDAILL.  
J. ERSKYNE.  
HAMILTON.  
CARNEGIE.  
W. OLIPHANT.  
A. HAMILTON.

S<sup>r</sup>. J. SKENE.  
GEO. ARESKYN.  
AR. NAPER.  
A. FLETCHER.  
J. GIBSON.  
A. HAY.  
T. HENRYSON.  
AL. ELPHINSTON.

Edinburgh, 29 of Junij 1624.

To the Kingis most excellent Maiestie.

CCCCXXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Yours maiefties lettre, concerning the declaratioun of your  
royall will and pleafour, agains Williame Rig and his complices, come no  
foonnair to oure handis, whome youre maiestie first intrusted thairwith,  
bot thair went a current brute through this toun, of ane extraordinair grite  
fyne to be imposed vpoun the saidis perfonis. How, or fra whome this

brute proceedit, we know not, and we will cleir oure felffis, that, to this houre, we haif euer concealled that point anent the fyne, and nowther aquentit the rest of the counsell, nor no otheris thairwith; and for this we will humelie crave your maiesteis pardoun, and beg that fauour of youre maiestie, that youre maiestie wald begratioullie pleaisit to tak in goode pairt oure humble opinioun concerning this fyne, whairin, as the Lord knowis, we haif no other thing befoir our eyis, bot your maiesteis honnour, and the generall content of youre subiectis, who, at the first raising of the vncertane bruite of this fyne, quhairof the particular is yitt vnkowne vnto thame, wer so moued with the rairnes of the mater, and the apprehensioun of feare, ypoun the preparatiue and consequence thair-of, as we haif not hard of a mater so hardlie tane with, and so dangerouslie apprehendit, be all rankis of perfonis; ffor the lyke of this fyne wes neuer hard of in this kingdome, and thair wes never a cryme (how grevous soeuer), whilk wes punishabill be fyneing, that refflaut fuche a censure; nor can the meanes of priuat perfonis afforde fuche sowmes, and the man him felff, althoght, in the generall opinioun of the people, he be welthie, is not knowne to haif so mutche flocke as the sowme imposed; and yf it be left in record, it will importe the effect of ane forfeytour, and a depyryeing him of his wholl estate, quhilk, in a mater of this kynd, respect being had to the qualitie of the offence, and quantitie of the fyne, will not be warrandit be example, and, in the opinioun of mony, will not subfist in courfe of iustice. The consideratioun wherof hes moued ws hithertillis, to conceale the fyne, being perswadit that the counsell wald neuer allow thair of, and we wer loathe that ony of youre maiesteis directionis shold refflaue ane interruptioun, or hard interpretatioun. The rest of your maiesteis pleasour concerning him, and his affotiates, by declaratioun maid of thair being ever incapable of ony publict functionis, is satisfieit, and he shall keepe warde in the Blaknes, and the rest in thair wardis, till your maiestie, in the excellencie of youre wifdome, comparing this punishment with the qualitie of the offence, shall refflaue contentment, wherwith we will most humelie beseeke your maiestie to rest satisfieit, and to pardoun our presumptioun and bauldnes, wherin, as we haif formarie said, we haif no other respect bot your maiesteis honnour, and con-

tent of youre subiectis. And so, praying the Almighty God to preferue youre maiestie in healthe and happynes, with a lang and blissed reigne, we rest for euer

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
MELROS.  
W. OLIPHANT.

Haliruidhous, the first of July 1624.

To the King his most sacred and  
excellent Maiestie.

CCCXXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaued youre maiesties lettre, of the xxij of Junij last, and, to oure exceeding grite greiff, we persaue that youre maiestie hes tane offence at oure proceedingis, in that mater concerning William Rig, and that sentence wes not pronunceit aganis him, conforme to youre maiesties directioun, wherein we will humelie craue pardoun, to cleir oure selfis, that no priuat respect nor consideratioun towardis the man, could haif induceit ws to ouersie the least point of dewtie, in the executioun of youre royall commandmentis; bot knoweing that youre maiesties principall ayme, in this and otheris materis of the lyke kynd, is groundit vpoun a most religious and princelie resolution, to haif youre maiesties lawis, concerning the ordouris of the church, to be reuerentlie obeyit, and a



peceable and fruitfull ministerie to be establisheit in this burgh; so, at the dyet appointit for pronouncing of youre royall will aganis the said Williame, he compeirit, accompanied with the whole ministeris of this burgh, and not onlie most submissiuelie acknowledgeit his oversight in that Twif-days meeting, afor Easter last, and cleirit him felff of some mistakingis in his depositionis, and quhairin he had foryett him felff, by granting a point never spokin of be him in the meeting foirfaid: bot with that, the ministeris, after a havey regrait maid be thame of thair hard estate and condition within this burgh, and how thay had a purpos to haif beggit leave to haif left thair ministerie,—in end, thay declairit, that, vpoun conference with the said Williame, thay had ressauit grite contentment and satisfactioun, in the mayne pointis, wherin he pretendit his doubtis, and wer in goode hoip of his future conformitie and obedyence; and that the rest of the nighbouris of the towne, who hes the gritest hand in this busynes, wald, by his example, do the lyke, quhairupoun wald follow the peace of thair church, respect to thair personis, and a hairtlie and mutual harmonie betuix thame and thair flocke, whilk wes the onlie thing thay foght. And, thairfoir, thay humelie interceidit for fauour vnto the said Williame, and that the declaratioun of youre royall will aganis him might be deferred for some certane space. Thay being at lenthe hard, and the expedencie of thair propositioun debaitit at the counsell table, and the archiebishop of Sanctandris, who, as youre maiestie knowis, hes the gritest cair in thir church materis, and whose opinioun is mutche reuerenceit and followit thairin, not onlie ioyned with the ministeris, in thair propositioun and desyre, as the fittest cours to procure obedyence and peace in the church, bot voided with ws, to the superseiding of the declaratioun of youre will and pleafour. This being the simple trewth of the cariage and progres of this busynes, we will humelie beseeke youre maiestie to accept the same in goode pairt, as proceeding frome thame, whose cheif cair and indevoiris, in the charge and placeis quhairwith youre maiestie hes honnourit ws, is to approve ourefelffis worthie of oure charge, and anfuerable to the truste youre maiestie reposeth in ws; we haif depried the said Williame frome his office of baillierie, and hes declairit him and the rest incapable of ony publict charge, in church or towne, heirafter;

and hes directit thame to thair warde; and in all otheris thingis, quhilkis may procure your maiesties obedyence and contentment, the peace of the kirk, and respect to the ministeris, thair falbe no thing wanting in ws, whilk to the dewtie of our place, as counsellouris, and alledgeance, as humble subiectis and feruitouris, apperteynis. And so, with the continewance of our humble and eirnist prayeris vnto God for youre maiesties lang and happie reiggn, we rest for ever

Your Maiesteis most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.

MELROS.

W. OLIPHANT.

S<sup>r</sup>. J. SKENE.

AR. NAPER.

J. MAR.

LAUDERDAILL.

R. COKBURNE.

J. GIBSONE.

MORTON.

CARNEGIE.

AL. ELPHINSTON.

LINLITHGOW.

J. ERSKYNE.

HAMILTON.

KILSAYTH.

Haliruidhous, the first of July 1624.

To the King his most sacred and excellent Maiestie.

CCCCXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFOIR the refett of youre maiesteis lettre, of the fevint of this instant, whilk wes directit to the whole counsell, we, youre maiesteis chancellor and secretaire, had diuers meetingis with the earle of Nithisdail his creditouris, and eirnistlie delt with thame for a continewatioun of personall executioun aganis his cautionaris, till this approtecheing

Martymes ; and now, vpoun the refett of this laft lettre, the creditouris wer broght befor the counfell table, and the mater, of new, vrged of thame, with all the instance and reffonis that might induce thame thairunto ; and becaus of the neir approtcheing of the terme, the continewatioun wes vrged till Whitfonday, and promeis wes maid vnto thame of thair annuellis. We fand a willingnes in fome of the creditouris, and a plane and directt oppositioun in otheris, who pretendit mony difficultiis and reffonis, quhairfoir that mater fould not be vrged of thame. And towcheing that point of youre maieftis lettre, anent the recalling of com-pryfeingis, inhibitionis, and hoirningis, vfed aganis the faidis cautionaris, the creditouris wer fo far aganis the fame, as thay oppofed thairunto refoun, law, iuftice, and practique of the kingdome ; and that this table could not medle in a mater of that kynd, depending vpoun thair rightis and fecuritiis, whilkis wer to be hard in another iudgement ; and the wholl counfell thought, that, befydis the breache of law, the fauour craued wald ouerthrowe all truſte, commerce, and intercoure, within the kingdome, and, confequentlie, wald produce griter inconuenientis, to the hurte of the eftate, nor could be for the preſent foirfeene. This being the effect of oure proceedingis in this buſſynes, we humelie preſent the fame to youre maieftis confideratioun, with oure humble and eirniſt prayeris vnto God for youre maieftis lang and happie reigenn. Frome Haliruidhouſ, the xv day of July 1624.

Youre Maieſteis moſt humble and obedyent  
ſubiectis and ſeruitouris,

GEORGE HAY.

A. MAR.

MELROS.

J. ERSKYNE.

AR. NAPER.

W. OLIPHANT.

MORTON.

LAUDERDAILL.

CARNEGIE.

ROXBURGHE.

HAMILTON.

To the King his moſt ſacred and excellent  
Maieſtie.

CCCLXXVI.—DEPOSITIONS OF ROBERT ELLOT AS TO THE INTENDED  
CAPTURE OF THE EARL OF BUCCLEUCH, &c.

At Edinburgh, the xvii day of Julij 1624; in prefence of the Lordis  
Chancellour, Thesaurair, the Erllis of Moretoun, Roxburgh, and  
Melros.

ROBERT ELLOTT of Ridlieugh, fworne, and examinat vpoun the purpois  
and intencion of taking the erll of Bugcleuchis lyffe, deponis, That Gib  
Ellot, callit the Tutour, proponit first to the deponner the murthour of  
the said erll, saying, the deponner wald neuir be at rest, till the erll wer  
cutt off; and he vndertooke to do the same within a year; bot the depon-  
ner neuir aduysed, nor counfaillid him thairto: And faves, that Gib come  
to Jedburgh to tyme of a iustice court, and thairafter to Edinburgh, to  
haue done the turne; and grantis that the deponner tauld this mater to  
Gawane Elliott, who answert the deponner, that Gib wes bot a feeble  
couter, and wald neuir do the turne.

At Halyrudhous, the nyntene day of July 1624; in prefence of the  
Lordis Chancellour and Thesaurair, the Erllis of Mortoun, Rox-  
burgh, and Melros.

Robert Ellot being demandit, In what plaice Gib Ellot, callit the Tu-  
tour, first proponit vnto him the purpois concerneing the murthour of the  
erll of Bugcleugh? deponis, The first tyme that Gib Ellot moued that  
busynes to him, wes at the watter fyde, neir to the deponneris dueling  
hous of Demayneholme, whither Gib haid purposlie come; quhair, haue-

ing regraitt the erll of Bugeleuch his hard vface of the deponner, and his whole name, he brak of the purpois concerneing the erll of Bugeleughis lyffe, faying, that yf he could gett help and maintenance, he wald vnder-tak, vpoun the perrell of his lyffe, to do the turne within a yeir. Demandit, Quhat he anfuerit, when Gib firft motioned this matter vnto him? Grantis, that he intertenyed the motioun, and that Gib and he haid oftentimes purpois concerneing that buſſynes, at euery vther tyme when Gib come to his hous: Grantis, that within aucht dayes after Gib Ellot proponned this buſſynes vnto him, the deponner communicat the fame to Gawane Elliott in the Hillhouſe, who wes verrie jealous and fuſpitiouſ of Gib, that he durſt not do the turne, calling him a feeble fellow. Demandit, At what tyme, and in what plaice, Gib Ellot reſolued to do the turne? deponis, At the tyme of the halding of the juſtice court in Jedburgh, and thairefter in Edinburgh: Grantis, that he wes in Jedburgh at that tyme, whiche wes appoyntit for putting thair purpois in executioun: Denyis that he euir gaif any thing to Gib Ellot to do the turne. Demandit, After the purpois failed in Jedburgh, quhat wes the nixt appoynted tyme and plaice for conferring vpoun that ſubieſt? deponis, Thay haid findrie meittingis and conferenceis thairanent, and that Gib Elliott wes of opinioun that the turne might be beſt done in Edinburgh, and with leaſt danger; quhairvpoun, the deponner and he come to Edinburgh, quhair, haueing attendit the euent of the buſſynes ſome certane dayes, Gib Elliott, Robin Young, and the deponner, returned hame, all thrie togidder; bot denyis that he haid any conference with Gib Elliott anent the murthour of the faid erll, at that tyme, and in the preſence of and heiring of Robin Young; nather rememberis he what paſt betuix thame in thair ryding betuix Maxuelheugh and the Moſtoure, bot grantis that, befor he com into Edinburgh, he tauld Robin Young, that Gib Elliott haid vndertane the buſſynes. Demandit, Yf, the tyme he wes in Edinburgh, Gib Elliott boght a quhinger, and brocht it to the deponner and Robin Young, and ſhew it vnto thame, faying that it wes a fit inſtrument for the purpois thay haid in hand? Grantis the fame to be of veritie. Demandit, How ſone he direſtit Gib Elliott into Edinburgh, after his retorne hame? deponis, Within aucht dayes; and grantis that he haid

Robin Young in Edinburgh befor Gib, to ressaue the pryce of a horse, whilk the deponner haid fauld at his last being in toun. Demandit, How meikle of the pryce of the horse he ordanit Robin Young to delyuier to Gib Elliott? deponis, Tuentie pundis. Demandit, What conference Gib Elliott haid with him after Gib his bakcomeing frome Edinburgh, and that the purpois haid failled thair? deponis, He inquired findrie thingis of him, the particularis wherof he can not remember. Demandit, Gif thair wes any discord betuixt Gib Elliott and him, befor the deponneris lady caused fell Gib Elliott his knolt? Denyis that thair wes euir any discord and variance betuixt him and Gib.

*Item,* The said Robert Elliott being examinat, and demandit anent the stealing of Maister Herroun and Williame Charletoun thair ky, deponis and confessis, that he wes airt and pairt of the stealling and ressetting of sãx ky fra Maister Heroun, in Chipfeis, about Mairtynmes last; and that Edie and Will Vfchearis and Gib Elliott, callit the Tutour, being his awne fervandis, wer actouris with him in this thift: And forder, he confessis that the said Edie and Will Vfchearis, his fervandis, haueing stowen frome Williame Charletoun, of Yflyfyde, tua ky and ane ox, the saidis goodes wer broght to his houle, and ressett be him, and eaten in his houle.

CCCXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, by oure lettre of the 26 of Marche, acquentit your maiestie, how far we had proceedit in the tryall and examinatioun of that detestable purpois contrived be Robert Elliott of Ridheugh, agains the lyffe of the Earle of Bugcleugh, and vndertane to be execute be Gib Elliott, callit the Tutour; youre maiestie, ressenting the interpryse, as it wes, indeid, bothe bafis and vnworthie, in respect of the circumstances and

qualitie of the persone agains whome it wes intendit, being a nobleman, a counsellour, a commissionair in the boundis where the murthour wes contrived, and the said Robert his superiour, youre maiestie wes pleased to will us to go on in the tryall and punishment, so far as the course of law wald allow; and if the lawis in that point wer defectiue, that the more exact diligence should be vsed for discouerye of the thift, quhair of the said Robert wes challenged, for your maiesties satisfactioun; in whiche point we haif bene verie carefull, by diuers examinationis, to rype vp the whole treuthe and misterye of this mater; and after findrie meetings and denyallis, on the said Robert his pairt, the dyet for his criminall persuite, vpoun the thift, being at hand, and the verificationis thair of verie vndoutit and pregnant, wee then layed before him the condition quhairin he stood, and the inevitable danger he wes to vndergo if the dyet held fordward; and, after muche dealing heirin, he wes broght to a confessioun, bothe of the intendit murthour and thift, as by his depositioun, send heir-with, your maiestie will perceave. How soone the erle vnderstood of this confessioun, he being moued with pitie and commiseratioun of his estate, he not oulie delt for a delay and continewatioun of the criminall dyet, whiche, at his earnest intreatie, wes grantit, bot he allowed that wee should humbly interceid for fauour vnto him at your maiesties handis, quhilk, in all humilitie, wee remitt to your maiesties princelie consideratioun. His tua colleagues in the thift hes vndergone thair tryall and punishment, the father being execute, and his sone, in respect of his confessioun and young yeiris, being banished the kingdome. He hes ane man callit Robert Young, who wes previe to this mater, and agains whome the said Robert Elliott himself, and Gib Elliott, callit the Tutour, hes deponit, that he not onlie knew of the buying of the quhingear, be the said Gib, to the effect abouewrittin, bot also wes present at thair conference, vpoun this subiect, betuix Maxuellheugh and Mostoure. He is now prissoner in the tolbutlie of Edinburgh, for his obdurate denyall; and wee wald humbly knaw your maiesties pleafour, quhat salbe done with him. This being the effect of our proceedingis heirin, wee humbly present the same as ane accompt of our diligence, and what forder your maiestie shalbe pleased to command thairin shalbe obeyit. And so,

with our vnceffant prayeris vnto God for your maiesties long and happie reign, wee rest

Your Maiesties most humble and obedient  
 subiectis and feruitouris,

GEORGE HAY.  
 MELROS.  
 A. MAR.

MORTON.  
 ROXBURGHE.

Halyruidhoufe, the 22 of July 1624.

To the King his most sacred and excellent Maiestie.

CCCXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

VPOUN informatioun maid to ws, of some appeirance of trouble and vnquietnes, lyke to haif fallin oute betuix certane of the erll of Hooke his tennentes, on the ane pairt, and some of lord Gray of Wark his men, on the other pairt, vpoun occasioun of the douncasting of the faid earle his miln dame of Spyla, committit be the faid lord Gray his men, and of the slaughter of one of his men, whiche unhappellie fell oute in the oppositioun maid to the douncasting of the faid dame; wee, being cairfull, as become ws, of youre maiesties peace, and to prevent all occasionis quhilk might disturb that goode correspondence, whilk your maiestie so earnestlie wilheis to be mutuallie intertenyed betuix the tua kingdomes; wee not onlie write to the shireff of Beruick to informe ws of the particularis of that busynes, and to conueene the iusticeis of peace within that boundis, and, by thair ioynte authoritie, to bind all the pairtyis on this fyde, interestit in that mater, to the peace, bot wee lykewayes write, to this same end, to the iusticeis of peace within Northumberland, and wee earnestlie recommendit vnto thame, that a meeting of the commissiounaris of the



Middlefhyris might be appoitit for trying and puniſheing of the offendaris on either fyde, and ſatling of ane conſtant ordour for the peace in tyme comeing. Thay haif bothe returnit vnto ws thair anſuer, reporting, that thay haif tane ſufficient ordour for the peace; bot anent the meeting of the commiſſionaris, theſe of that fyde hes maid no mentioun. Wee ar informed frome the ſhireff of Beruick, that the Spyla miln hes bene a gangand miln thir ſourtie yeiris bigane; and that vpoun the ſevint of this inſtant, ſome of the lord Gray his men, to the number of tuentie perſonis, come, aſoir the ſune riſe, to the ſaid dammheade, and kaiſt down the ſame, and that the oppoſitioun wes onlie maid be three men; bot leaving this to the ordinair tryall and examinatioun, wee will humelie requeiſt your maieſtie, ſeeing this mater may draw deipair to the diſturbance of youre maieſties peace, that youre maieſtie wald be pleaſed to write to the ſaidis commiſſionaris of the Middlefhyris, to appoint a meeting, ſa ſoone as convenientlie may be, and not onlie to tak exact tryall of this buſſynes, and accordinglie to censure the ſame, and to ſetle that ordour quhilk may remove all forder occaſioun of trouble heirafter, bot lykeweyes to tak ordour for ſatling of the differenceis betuix the Lord Walden his tenentis, and the lairdis of Wedderburne and Blacader, anent the fiſheingis foiranent Fiſhewick, quhilk hes alreaddie bred grite trouble, and is lyke to produce forder. And ſo, with oure earneſt prayeris vnto God for your maieſties long and happie reign, wee reſt

Your Maieſties moſt humble and obedient  
ſubieſtis and ſeruitouris,

GEORGE HAY.

MORTON.

LAUDERDAILL.

A. MAR.

ROXBURGHE.

PA. B. OF ROSS.

J. GLASGOW.

BUCCLEUCHE.

MELROS.

J. ERSKYNE.

Haliruidhouſe, the 22 of July 1624.

To the King his moſt ſacred and excellent Maieſtie.

## CCCCXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaued youre maiesteis lettre, of the 21 of this instant, by the whilk, your maieftie recommendit vnto ws the searching and finding out of the conuenticlis keepit within the burgh of Edinburgh; ffor your maiesteis satisfactioun in whilk point, we thought it first expedient that all of youre maiesteis counsaill, who wer this day conuenit in a frequent number, shold be examined, vpoun thair grite oathe, concerning thair knowledge of thir conuenticlis; quhilk being accordinglie done, and thay hauncing purged thame felffis thair of, thairafter we send for the prouest, baillies, and wholl counsell of the said burgh, and verie straitlie layed this mater to thair charge, as a cryme most offensiue to your maieftie, scandalous to the kirk, and most pernicious and wicked, in consequence and example, caryeing with it ane evident introductioun of shifme, the breiding and fostering of errouris, and of many otheris euillis within the kirk; and we burdynnit thame, owther to find out the offendaris, or otherwayes your maieftie wald tak yow to the wholl towne. Thay wer verie grevit for youre maiesteis offens agains the towne, and, with mony attestatiounis, pleadit ignorant and innocent of thofe conuenticlis, and, by thair grite and folemne oathe, purgeit thame felffis bothe of the deid and knowlege thair of, protesting that thay never hard of fuche a mater; and yf it wer trew, that in thair hairtis thay detestit it, as a point vnworthie to be sufferit or hard of within thair towne; and thay promeist the vttermost of thair endevoiris to trye, yf ever ony fuche offence hes bene committit, to the intent the pairtyis found guiltie may be feueirliie punished.

We intimat, lykewayes, vnto thame, youre maiesteis will and pleafour anent the commynioun, wherunto thay willinglie acquiescit, with promeis of conformitie and obedience, humelie intreating youre maieftie, that yf ony foolishe people of thair towne fall stand oute and be refractar,

that the weyght of youre maieſteis wraithe ſould light vpoun thame ſelfiſs, and that youre obedyent ſubiectis of the toun ſould not be troublit for thair ſoleyis. We haif gevin directioun to mak intimatioun of the celebratioun of the commynioun, be proclamatioun at the mercatt croce of Edinburgh, vpoun Mononday nixt, and we haif infert, in the proclamatioun, that ſame certiſicatioun expreſt in youre maieſteis lettre. This, for ane accompt of oure proceedingis, in this mater, we humelic preſent the ſame to youre maieſteis conſideratioun, with our humble and eirniſt prayaris vnto God for youre maieſteis lang and happie reigne. Frome Haliruidhouſe, the 29 of July 1624.

Youre Maieſteis moſt humble and obedyent  
ſubiectis and ſeruitouris,

GEORGE HAY.  
ROXBURGHE.  
CARNEGIE.  
A. MAR.  
MELROS.  
MORTON.

LAUDERDAILL.  
HAMILTON.  
BUCCLEUCHE.  
W. OLIPHANT.  
AR. NAPER.

To the King his moſt ſacred and excellent  
Maieſtie.

CCCXL.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

How ſoone your maieſties letter, commanding the ſtay of proceeding, in the action perſued by the Earle of Roxburgh aganis Francis Stuart, came to my hands, I went to the earle, and ſignified to him your maieſties pleaſure, which he promiſed humbly to obey, and to ſurceaſe

all farder instance till he fould obtene your maiefties permiffion to the contrarie, affuring me, that he fould teftifie his due obedience by his owne letters. So, praying God to bleffe your maieftie with accomplished prosperitie, I reft

Your Maiefties moft humble, faithfull, and  
bund fubie&t and feruant,

MELROS.

Edinburgh, penult July 1624.

To the Kingis moft facred Maieftie.

CCCXLI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a complaint gevin in this day vnto ws, in name of the commissioneris of the Middlethyris, proporting, that althoght thay haif bene verie folist and carefull to approve thame selffis anfuerable to the trust, your maieftie hes repoised in thame, not onlie by keeping of goode correspondence, executing of iustice, and causing of reall redres to be maid of all complaintis on the Inglishe fyde, fua, that now thair is no stouthis nor reassis hard of vnredressed on this fyde: that notwithstanding, a pairt of the boundis on the Inglishe fyde, as, namelie, Tyndaill and Riddisdail, is in a maner brokin louse, and frequent stouthis committed within the fame, and no redres at all maid, be reafoun, as we conceave, that fince the decease of vnquihile Sir Harye Widrington, that had charge ouer these boundis, thair is no perfone of qualitie authorifed with commiffioun, within the faidis boundis, to tak ordour with the faidis difordouris, as is done at the east and west handis, quhairby your maiefties fubie&tis, on this fyde.

ar havelie preiudget, and may be tempted to seek redres vnlaughfullie, if some course be not tane that a mutuall correspondencie and redres be indifferently keepit on bothe fydis; quhairof, we thocht meete to mak your maiestie forseene, to the intent your maiestie, after dew tryall and informatioun of the caufs of thir difordouris, may prouide for preventing of the forder grouthe of the same, and suppressing of the present. And so, praying God to blisse your maiestie with mony long and happie yeiris, we rest

Your Maiesties most humble and obedient  
subiectis and seruitoris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.  
S<sup>r</sup>. J. SKENE.

Edinburgh, 4 Februar 1625.

To the King his most sacred and  
excellent Maieftie.

CCCXLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a signatour gevin in to ws, vnder your maiesties hand, and recommendit be your maiesties lettre, to be exped, contening ane infestment of the lordship of Kintyre, in fauouris of the earle of Argyll, his eldest sone of the secund mariage; after consideratioun quhairof, having callit to oure remembrance, how that the passing of this infestment wes verie instantlie vrged be the earle himselff, the tyme of the parliament, in the six hundreth and seventeene yeir of God, quhair your maiestie wes present, and how that grite oppositioun wes maid thairunto be the said earle his cautionaris, as, namelie, be the constable of Dundee, the

lairdis of Lundie, Laweris, and some otheris, who constantly affirmed, that thay had no hoipsis of releif of thair grite ingadgementis for the said earle, if that infestment wer exped, feing the lord of Lorne, the said earle his eldest sone, stode infest in the fee of the whole rest of his levying, and nothing wes restand, wherupoun thay might gett reall executionn for thair releiff. And whereas your maiestie, oute of your gracious respect of thir gentlemenis releiff, allowit of the staving of the infestment at that tyme, we thairfor thought that we could not be answerable to your maiestie, if now, without hearing of thame, we sould give way thairunto; and thairfor, we wret for thame, and Lundie compeirand, he renewit, with verie grite instance, the formair suite anent the staving of the infestment, and gaif in a note of threttie sex thousand, aucht hundreth, and three pund, wherin he yit standis ingadgeit for the said earle, besydis tua thousand pundis, with some annuallis that he hes payit. We having at lenth hard him, as alswa the said earle his agent, who attendit this busyness, and who had nothing to say agains the note of the ingadgementis foirfaidis, we haif maid choise rather to stay the infestment, nor rashelie to giue way thairunto, till first we be consultit with your maiestie thairanent, wherin, craving your maiesties pardoun for this shorte delay, and being readdie, according to our bundin dewtie, vpoun significationn of your maiesties royall will and pleasure in this particular, to conforme our selfis thairunto, we pray God to blisse your maiestie with mony long and happie yeiris, and restis .

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.

Edinburgh, the fourte of Februar 1625.

To the King his most sacred and  
excellent Maiestie.

CCCXLIII.—THE NAMES OF THE NOBILITIE OF SCOTLAND, NOWE HEERE  
TO ATTEND THE FUNERALL OF KINGE JAMES.

The Lord Chancelor.

The Duke of Lenox.

The Marquefs Hamilton.

The Archbifhopp of Saint Andrewes.

The Earle of Mar, Lord Treafurer.

The Earle Marfhall.

The Earle of Morton.

The Earle of Eglinton.

The Earle of Buchan.

The Earle of Nethifdail.

The Earle of Linlithgoe.

The Earle of Home.

The Earle of Wigton.

The Earle of Tullibardin.

The Earle of Roxbrough.

The Earle of Kelley.

The Earle of Balclewth.

The Earle of Melrofe.

The Earle of Annandail.

The Earle of Laudirdale.

The Lord Gordon, eldeft fone to the Marquefs Huntley.

The Lord Vifcount Aire.

The Lord Erskin, eldeft fonne to the Earle of Marr.

The Lord Fenton, eldeft fonne to the Earle of Kelley.

The Lord Biuning, eldeft fonne to the Earle of Melrofe.

The Lord Spynee.

The Lord Madertie.  
 The Lord Pittinweeme.  
 The Lord Brufe.  
 The Lord Caluill.  
 The Lord Kincluin.

## KNIGHTS, PRIUEY COUNSELLORS OF SCOTLAND.

Sir Archibald Napeire.  
 Sir John Hamilton.  
 Sir George Elphingfton.  
 Sir Andrew Kerr.  
 Sir William Alexander.  
 Sir John Scott.

## OFFICERS.

Sir William Seaton, Mafter of the Houfhold; equall to the  
 Treafurer or Comptroller of his Majefties Houfe heere.  
 Maifter John Oliphant, his Majefties Agent; equall to his  
 Majefties Solicitor heere.  
 Maifter William Chambers, Treafurer Clerk; equall to Sir  
 Robert Pye, Auditor of the Exchequor heere.  
 Maifter John Fenton, Comptroller Clerke; equall to the  
 Clerkes of the Greencloth heere.

Thefe verye Scotife Nobellmen prefent at the Funerall of King  
 James, in Maij 1625.



## CCCXLIV.—THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERANE,

THE charge and burding of your maiesties seruice against the rebellis of the Claneane, (be whome, not onlie youre maiesties awne subiectis, bot the subiectis of otheris princes, your maiesties freindis and confederatis, wer haviellie distrest and robbed of thair shippis and goodis, and some of thame cruellie and barbaroullie slayne), being committit to the Lord of Lorne, he, oute of his humble and dewtifull respect to your maiesties obedience, not onlie willinglie vndertooke the seruice, bot he hes prosequute and followit the same oute, with grite resolutioun and dextérité; and that with his awne proper freindship and forceis, without ony trouble or burdyne to the cuntrey, in so far that, whereas it is vsuall throughout the Ilis, in expeditionis of this kynd, that victuallis ar takin without payment, the said lord wes so respectiue of his credite in that point, that haueing fyfteene hundreth men in his company, he tooke fuche ane strait ordour with thame, that, during the wholl tyme of the seruice, nane of thame durst meddle with ony victuallis, bot for present and redde payment. In the prosequitioun of the seruice, he hes execute, be course of justice, ten of the rebellis; he hes slayne sax of thame; and he hes brocht heir to the burgh of Edinburgh fourteene, who ar to vnderly thair tryall and punishment. He compeirit this day befor youre maiesties counsell, and gaif ane accompt of his diligence and proceedingis in the seruice, wherin we find that he hes approvin him self anfuerable to the truist wes repoised in him. And whereas he is a young nobleman, and this is the first of his employmentis, wherin he hes worthelie and dewtifullie discharged him self, we could not forbear to gif notice of the same to your maiestie, to the intent, that yf the lyke occasioun of seruice fall oute in the Ilis or Heylandis of this kingdome, your maiestie may be assured of

one who is both able and willing to ferue your maiestie. And so, in all humilitie recommending him to your maiesteis fauour, and his seruice to your gracious allowance and acceptance, we pray the Almighty God to wathe ouer youre sacred perfone, and to blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.

PERTHE.

A. MAR.

MELROS.

MORTON.

ROXBURGHE.

WINTOUN.

Edinburgh, 29 July 1625.

To the King his most sacred and  
excellent Maiestie.

CCCXLV.—THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERAIGNE,

WHEREAS your maiestie wes pleasit to recommend vnto ws, the taking of some cair in the Duke of Lennox his affaires, and to foirfee that his estate and leving wes prouidentlie and ordourlie managet by the commissionaris intruisted thairwith; wee, according to oure bundin dewtie, wald haif bene most solist to haif gevin vnto your maiestie satisfactioun thairin, bot the absence of Sir George Elphinstoun, one of the saidis commissionaris, and who hes the speciall handling of that mater, hes bene a grite lett and hinder to our proceedingis, feing, without him, wee could gett nothing done thairin; quhairthrow thair is nouthier compt tane of the chalmerlanis, nor yitt of the tennentis, of whome some ar become

verie poore, and the longer that thair dewtyis ly in thair handis, thair payment will prove the more difficle. And thairfoir, wee will humble intreate your maiestie, if Sir George be not thortlic to come home, that your maiestie will mak choise of the Lord Carnegye, with fuche otheris as your maiestie will intruist, with the charge of the said duke his leving, and hes his constant abyding in this kingdome, to the intent, the absence of the one be not a preiudice to the other; and whome wee fall not onlie affist with oure aduise and counsell, in all that concernis that charge, bot wee falbe carefull, fra tyme to tyme, to craue ane accompt of the progres of thair proceedingis thairin. Quilk, remitting to your maiesties royall consideratioun, and praying God to blifs your maiestie with mony long and happie yeiris, wee rest

Your Maiesties most humble and obedient  
fubicetis and seruitouris,

GEORGE HAY.  
A. MAR.  
MELROS.

Edinburgh, the first of August 1625.

To the King his most sacred and  
excellent Maiestie.

CCCXLVI.—EARL OF NITHSDAILL TO THE EARL OF ANNANDAILL.

MY LORD AND BROTHER,

I HAVE, at this present, refavit your letters of the 18 of this moneth, wherby I perfave the humur of our leading men continueth to oppose the kingis direCTIONS. Lett tham ansuer, when they cum heir, for

it. I did think yow had alredie bein wpon yowr iurney; tharfore haift, that yow mey be hear as fone as they. I am forie that yow sheuld have put yowr hand to dyvers letters cum hear from the counsell, speshiallie anent that of the fettilling the counsell. The foner yow be hear the better; yow mey be confidante, that quhat concerns my felfe, fall be noe dearer to me then what belongs to yow, ather in honour or wtherveyis. From him who fall be alweyis

Yowr Lordships brother and fervand,

NITHISDAILL.

Hamton Court,  
November the 28, 1625.

To my noble Lord and Brother, the  
Earle of Annandaill.

CCCXLVII.—LORD BINNING TO THE BISHOP OF THE ISLES.\*

MY VERIE HONORABLE GOOD LORD,

I HAUE presentlie reslaued frome your lordships footeman, your lordships letter of the fourt of September, from Bredick, signifeing your lordships messages to the rebelles of Duniveg, the offer to thame, of his maiesties remission, and there tryell of the sufficiencie therof, and, nottheles, there delay to giue there obedience, till your lordship go to Ila, whiche now your lordship is preparinge to do. I am verie forie of

\* The following four articles, relative to the disturbances in the Isles, occur in a volume of MSS. amongst the Balfour Collections, which having been used by the late Mr Gregory, for his History of "the Highlands and Isles of Scotland," was not returned to the Library in sufficient time to enable their insertion at the proper date; they have therefore been placed together at the end of this Collection.

the progres and succes of that busynes, which appeares to be miscarryed, not without your lordships ouersight; for when his maiesties commission wes, according to your lordships desyre, granted to yow by the counsale, and suche remission exped to the rebelles as your lordship requyred, your lordship vndertook, and faithfullie promiseid to the thesaurar depute and me, that your lordship should go in person, with all possible diligence, to Ila, being confident to find readdy obedyance of the rebelles there; and, after your lordships parteing from ws, we delt with your lordships sone to haitt after your lordship, to latt your lordship know that we had perswaded the Earle of Caithnes to promiseis, so sone as he had performed his vnder-taken commission, to tak forward his shippes, shoulidioures, and canones, to asleage and batter the house of Duniveg, yf your lordship should mak ws speedie aduerteisment of there delay or disobediace of your charges, as his maiesties commissionar: for which purpose, wee wrote verie particular to your lordship, by Duncan Campbell, whom wee send expreflie to your lordship, commanding him, and requeisting your lordship, that he should not returne to ws whill he had accompanyeed your lordship to Ila; and vpon the sight of the event of your trauelles, might haue reported to ws, by your lordships letters, and his owne sight, the certantie of thinges; whom your lordship send back to ws from Bute, with your letter, bearing faithfull promese, that his jorney should not be necessar, but that your lordship should go presentlie then forward, and returne ws good and speedy contentment; whereby, finding our selues far disapoynted of our expectatioun, of new, wee derected Duncan Campbell, vpon the 29 of August, with our letteres, whiche wee thought should have fund your lordship in Ila, and have againe, this tyme, reported the estate of your proceedings. But now, finding that your lordship is still in Arrane, and begining to mak your preparationis as for ane seruice to begin, we have good cause to regrave the inexcusable losse of so good tyme as the season of yeare, whiche brings on vmendable difficulties, and is lyk-lie to mak the Earle of Caithnes vnhablie to do the seruice, and so to giue your lordship lesse incuragement, and such advantage to the rebellis, as may mak his maiesties house, which wes losid by default of your keepars, to be deteaned by the rebelles, whill the nixt somer; it beeing

more probable that your lordships imploying of the cuntrey people to inclose the houle shall giue thame vexation, nor bring difficulties or necessitie of onergeveing the houle to the rebelles, to whom your lordship hes, befyd the aduantage of there former preparation of victualis, given occasion, by this delay of tyme, to furnishe thame felues with new cornes. Neuertheles, I haue delyuered to your seruand the warrand and direction in wrytt, which your lordship craved to Donald Gorme, and shall, with extreame diligence, cause exped all that you can reasonablie require, for furtherance of your vndertaken charge in his maiesties seruice. I pray your lordship consider of your burding according to the weaght thereof, and imploy your judgement, frendes, and powar given your lordship by his maiesties commission, for the speedy and duetifull performance thereof; for your owne credite and his maiesties honour and contentment, of whose gracious consideration of good seruices no man knowes better the assurance and experiance then your lordships selff. So, hoping vndoubtedlie that your lordship will stryve, with care and diligence, to amend bypast negligence, and wisheing your lordship happie succes in this and all other your affairis, I rest

Your Lordships assured freind to be commanded,

BINNING.

Edinburgh, aught of September 1614.

Your lordships man hes not had cause to stay heere ane houre vpon his answer, and hes reffaued money for his charges.

Indorfed by Lord Binning :

“ Copie of my letter to the  
Bisshop of the Isles.

“8 September 1614.”

## CCCXLVIII.—ARCHIBALD CAMPBELL TO [LORD BINNING?]

PLEIS your lordship to heir ane accompt of his maiesties ferwice fence my going to Dewling. I cam to Dwling on the twentie of November, where I stayit whill the fowre of December, attending the shiping of two canons, and one culwring with wtheris necessaris, belonging to his hienes ferwice. My lord, I cannot omitt to remember your lordship, of the gryt cair my Lord Deputie of Ireland did taik, in dispatching, with all diligence, fuch thingis as was committit to his charge.

On the fowrt of December, Sir Oliver Lambert, commander of his maiesties Iyrish forces, shipit in his maiesties ship callit The Phœnix, accompaneit with the Moone, one of his maiesties pinages, a hoay, wherin the ordince wer, and a Scottis bark with wittallis. They cam to Auldersleit, neir to Knokfergus, where they ankerit, and Sir Oliwer Lambert went to Knokfergus, where he stayit thrie or fowre dayis, attending fum timber necesser for the ordince, and for shiping a hundereth and fyftie foldioris, who war appoyntit to gard the cannon.

On the thretin of December, at night, they weyghit anker, and did taik failt towards Illa.

On the fowrtein day, abowt two of the klok in the afternon, thei cam to ane anker in the fownd of Illa, at the Whit Foirland of Jwra. I expectit to have hard of the Livenants being in Illa, attending the cuming of the cannon, bot for two dayis, I culd not have occasioun to meit with any to demand newes of.

On the sextein day, Donald Gygay, commander of the Ille of Jura, cam aboard where I was in the Phœnix, wha shew me that the liwtenant haid beine for the space of fowrtein dayis in two littill iyllis, neire to the castell of Dunywege, and that he haid retwrnit bot two dayis befor our cuming. Likwayis, he shew me that the liwtenant remanit at Duntrown, prowying niwe wittallis, and wold be redie to retwrne to Illa, so foone

as he were adverteisid of the cuming of his maiesties shippis. I derecetit away a letter to the liwtenant, shewing him of our cuming.

On the twentie two day of December, the liwtenant retwrnit me ane ansfre, and wrot to Sir Oliwer Lambert, desyring him to hawe a littell patience, and he should be with him, with all possibill diligence.

Sum of the men of Jura and of Illa, wha cam in to speik with me, reportit, that a litell befoire the lewtendants cuming towards Illa, thair cam one, callit Grahame, to the castell of Dunywege, wha shew the rebelles that he was derecetit be my Lord Chancler to receawe frome them the pledgis and the hous, and for his warrant, he alledgit to hawe instructionis vnder my Lord Chancleris hand, for obedience wherof, the rebelles haid randerit wp the pledgis and the castell; and that this Grahame haid maid Angus Oge constable of the castell.

Hawing not hard frome the liwtenant, how fare he haid proceidit with the rebellis, I shew Sir Oliwer Lambert of the report I haid hard, whereby Sir Oliwer tuik occasioun to writ, and summond the rebelles to rander the hous. The copie of Sir Oliwer Lamberts letter, I hawe herewith fent to your lordship, and the rebelles answer to Sir Oliwer.

Sir Oliwer being desyrous to wnderstand the strenth of the castell, and to hawe a wiew of thair aledgit warrant frome the chanclere, sent Capitan Parkins to report to him the trew estat of boith. The copie of Sir Oliweris secund letter, with the copie of Grahamis aledgit instructionis, I hawe herewith fent to your lordship. Efter that I haid seene the copie of Grahamis instructionis, I shew Sir Oliwer Lambart, that, in my opinion, all that past betwixt Grahamis and the rebelles was dewisit by Grahame him self, for releif of the pledgis.

What gryt chargis Grahamis dealing hes put his maiestie to, and what gryt paynis his doingis hes bred to thos wha follovit his maiesties service, I leve the report thair of to a better tyme.

On the fyft of Januar, the livenant met with Sir Oliver Lambert, at the Whit Foirland of Jura, being fowrtein or fyftein dayis afoir, stayit by contrarie wynds, and wehement stormes, such as Caaptane Buttone, caiptane of his maiesties ship, calit the Phoenix, a worthie gentelman, na thing inferior in knowledge of sea fearing matteris to any in his maiesties do-



miinons, afirinis that he newer indwrit the lyk, nor vas newer in a moir dangerous place.

On the sext of Januar, the livenant landit in Illa, and immediatlie thairefter fumond the countrie peopil, nixt agiscent, to geve thair compeirance, and to prowyd horffes for his maiesties Yrishe commanderis and fouldiouris.

Sir Oliver Lambert, at his meting with the livetenant, shew him, that he behowit to have beivis for his fouldiouris, and that he haid not brought no mony with him, for witting of his foldiouris.

The liwtenant caufit prowyd thretie fyve beifis, weeklie, for his maiesties Yrishe forces, which thei haid dwlie gewin them. At the liwtenants first landing in Illa, he was bot two hundereth men. On the nixt day thairefter, thair cam to him fewin scoir men. On the nynt of Januar, the liwtenant derecit Maister Donald Campbell and me, with aught scoir men, to march befor him to the castell of Dunywege, and if any of the rebelles wer on the feildes, to persew them, the which we did.

The liwtenant hawing prowdyt horfe for his maiesties Yrishe companies, wha landit in Illa the nixt day efter the liwtenant landit in Illa, the liwtenant and thei marchit together, on the nynt of Januarj, to Portinellan.

On the tent of Januarij, the liwtenant, and the Yrishe companies, marchit to the Lagan, fum fowre myll frome the castell.

On the elevint of Januarj, they marchit to Baleneill, which is within a myll to the castell.

On the twelft of Januar, the liwtenant marchit with his awin companies to Balenachtan, which is within half a myll to the castell, wher Maister Donald Campbell and I haid remaynit two dayis befor. His maiesties Yrishe forces stayit at Baleneill, in regaird thair was no lodging wher the liwtenant remaynit.

On the fyftein day of Januar, the hoay, with the rest of the shipis that attendit the service, saifing onlie his maiesties awin ship the Phœnix, cam to the Ill of Tixa, which is within a myll and ane half to Dunywege, wher, foir the space of too or thrie dayis, thei indwrit a mast wehement storme.

One the auchtein day of Januar, the pillats wha wer sent be Caiptan

Bwttone to wnderftand if thair was any faif ryding at the Iyll of Tixa for his maiefties fhip, went back to him, and fthew him thair opinioun of the rod.

On the twentie day of Januar, the liwtenant him felf went in his gallay with a number of boitts, and onlodint the hoy, and the wther fhipis, of the fhoat, pouders, and timber, and fuch wther neceffaris as belongit to the ordince, and all thair pickaxis, fhoollis, watellis for the fogeris cabinis, and deall boordis, to build houffis for his maiefties Yrifhe commanderis.

On the twentie ane, the liwtenants boatts attendit as thei did the day befor one, the twentie, and in the night foure of the rebellis ftoll away owt of the caftell of Dunywege, wha war receawit be the liwtenant, according to the tennor of his hienes proclamatioun.

On the xxi of Januar, Rannald MacJames, wha haid taikin in the Ille and Fort of Lochgwrme, did rander the fame to the liwtenant, and hes promeift to do ferwice againft the reft of the rebelles; in regaird wherof, the liwtenant hes affwrit him and his fon of his maiefties favore. Rannald Macforle, with Donill Baillie, Johnie Macdonill Baillie, and Sorlle M'Alafter, with Donill Baillie, hes randerit them felf, and promeift to do ferwice, conforme to the act of councell, for thair remiffioun.

On the 22 day of Januar, the liwtenant vent, and Sir Olipher Lambart, weiwing a place for landing of the ordinces, the whiche wes fund owt werrie happillie, although fum what vnder the dangir of the caftell.

On the 18 day of Januar, the Phœnix, his maiefties fhip, came to the Ille of Tixa, hawing indwrit, the Wedinfday before, no les danger, by the extremitie of the ftorme, than all hir worth; and having caftin anker neir to the faid Ill of Tixa, fho indurit, for the fpace of thrie dayis, a moft wehement ftorme; fo that, if thair haid not bene a better rode fund owt by Caiptane Buttins painfull cair and diligence, than the rode of Illan Tixa is, of all neceffitie his maiefties fhip behowit to hawe bene difmiffit. Bot he fpyit a place, the Lodomes, where his maiefties fhip lyis without any danger.

On the 23 day of Januar, Caiptan Button did man his awin boat, and ane vther fhip boat, and caufit the hoay be brought to the place apoyntit for landing of the cannon; the hoay hawing come wnder the fhoat of the

castell, whiche of all necessitie sho behowit to do, the rebelles did tak thair advantage, and powrit owt a great many shoate one the twa boats that wer a bringing in the hoay, bot no harme was done, praisit be God.

On the 25 day of Januar, the culwring and cannon were landit.

On the 27 day of Januar, the wther cannon was landit, where the livenant and all his people did labour, as thei did the day befor, in bringing thame ashore; and the same day, in the efternone, one of the cannons being adrawing from the shoare towardes the place where the platforme was to be maid, thei brocht the cannon within shoat of the castell, whair of the rebelles, taiking thair advantage, powrit owt a great many shoat amongst ws, where Caipthane Crawford, a worthie gentelman, was shoat in the small of the lege, and within fyve or sex dayis efter, had his lege cut of be the knie; and within twa houris thairefter, he diet. Thair was likwayis, at the same tyme, one of the livenants company was shoate in the bodie, and leifit bot a few dayis. The wther cannon and culwring being brocht wp, and plantit neir to the platforme, all our companies being likwayis intrinchit in the moift commodious pairts round about the castell, so as thair was no hoip for the rebelles to eshape be land.

The platforme being finisht, the ordinces were broight and placit, and one the first of February, in the morning, the cannons and culwring played; hawing shoate many shoates, the rebelles sent vp a boy with a lettir in a clofin stick to the liwtenant, desyring him that he wold fend down sum of his freindis to parle with thame; he retwrnit thair berar, and desyrit to tell Angus, if he wold not cum to him where he ves, on promeis of his faif retwrne, he should have none of his freindis to parle with him. The messenger went not sooner back to the rebelles, when thei sent him to the livenant back agayn with ane wther letter, desyring him, that he wold cum and meit with Angus, in the midway betwixt the castell and where he campit, he retwrnit the messenger, and told him as he did before. All this tyme the cannon and culwring plaid, faif onlie fa long as the berrar was in his cuming and going. Abowt sex of the klok at night, Angus wryt to the liwtenant ane wther lettir, desyring him, that he wold, in the next morning, the secund of February, fend to him Sir Thomas Philiphis and Archabald Campbell, and he him self wold cum

with them to the liutenant where he was. The liutenant adwyfit with Sir Olipher Lambart, what anfuer he fould maik to him. It was thought expedient that thei fould go and meit with him, and with all, the liutenant fhow the meffenger that he wold protract no tyme, bot the cannons fould play ftill, faif onlie quhill Sir Thomas Philips and Archabald Campbell ware in bringing of Angus to the liutenant: Be this tyme, the rebelles ware greatlie difcuragit be the effect of the battrie that was the firft day, and fearing that thei wold adventwre thame felfis to go away be fea, the liutenant did ftrenthin his guard, which he kept on thame by fea the nights preceeding, and directit Maifter Donald Campbell, with fum wther fpeciall gentelmen, to watch the rebelles by fea that night, and Caiptan Button, wha has beine a willing indeworrier of him felf, to forder the fervice, did all that night watche the rebelles in his longe boat.

The 2 of February, in the morning, efter manye fhoats of the cannon and culvring, the liutenant fent Sir Thomas Philips and my felf, to bring Angus to him as apoynted the day befoir, wha cam with Sir Thomas Philips to the liutenant.

The liutenant hawing demandit Angus of fyndrie particularis in preffence of Sir Oliwer Lambart, Sir Thomas Philips, and Caiptan Bwtton, Angus told the liutenant, how he haid, at the defyre of my Lord Chancellor, randerit wp the pledgis and the caftell to one callit Grahame, and that Grahame haid commandit him to keip the caftell for the kyng. The liutenant lett Angus wnderftand, by many good reaffouns, that Grahame, as the liutenant vnderftood, had no fuche power, no derec-tioun, and that he thoight werrille that Grahame haid deceavit him.

At lenth Angus returnit back to his affociats, and promeit prefentlie to come him felf, and fo many as wald fallow him, and rander them felf in his maiefties will. The liutenant fent with Angus, two gentelmen, to conduēt him back frome the caftell. Angus na fooner cam to the caftell, then he retrwnit the two that were fent with him, defyring them to fhow the liutenant, that, on no conditioun, wald he rander him felf. Than the ordince was plyed, which haid not fhoat above fevin or eight fhot, when Angus fent to the liutenant, defyring ane wther parole. The liuf-

tenant refuist to anfuer him, bot commandit me to affure him, that the luiftenant wold heir no moir of his delays. Abowt fyve of the klok in the evening, Angus fent to me a meffenger, defyryng that I wold craue the luiftenants promeis, that the luiftenant [fhould obtain their lives? \*] at his maiefties handis; the whiche I fhew to the luiftenant, wha anfuerit me, that he wald mak no promeis to any of the rebels, nether wald he remember any privat quarrell of his awin againft Angus, bot fo for as his place wald command him. All this tyme the cannon and culwring played on the caftell, the meffenger being on his way to the caftell; and Angus, not abill to withftand the feage any longer, was cum furthe owt of the caftell, where all that were abowt might fie him; and in the midway, Angus being cuming to rander him felf, the meffenger met vith him, and told him as I hawe writtin.

Angus hawing cum to the luiftenant, betwix fyve and fex a klok at night, with fum wther of the principall of the rebellis, thei knilit all befor the liwtenant, in prefence of all that wes thaire, and told that thei wer cum, in all humilitie, to rander them felf in his maiefties will, withowt any condition. Likwayes, he told the luiftenant that fum of the rebelles, wha were in the caftell, haid defyrit him to ask if the luiftenant wald be pleafit to affuire them, that thair lysis fhould be faif wntill thei werre brought afoire the confell. The luiftenant fent me to Sir Oliwer Lambert, to let him know of this meffage. In the meane tyme, the luiftenant directit his boatts to ly watching the rebelles, if thei fhould fteill away be fea, as he did ewerie night befoire. Bot the cuming in of Angus, almoft wnder clood of night, and the meffage he brought frome the ref of the rebelles, as, likwayis, Sir Oliwer Lambert hawing affuirit the luiftenant, fo fhone as it were dark, he wold fend his companyis to lodge wnder the wallis of the caftell, the which, whill I was my felf with Sir Oliwer Lambert, fhewing him the meffage that Angus had brought frome the ref of the rebellis, Sir Oliwer was prowying his companyes to go to the caftell, and ftayed onlie to let thame hawe a littell meatt, for thei haid laborit werie hard all the day befoir,—thos that werre attending the boattis, knowing of all this, it maid fum of them the moire neglegent,

\* Something has evidently been omitted here.

hoping that thei should hawe littell or no thing ado. I haid no fooner taikin leave of Sir Oliwer Lambert, being on my way towardes the liw-tenant, when the rebellis, whilit owt in a boat, whiche thei haid fittit for the purpos. Sum of the luiftenants men, that watchit for them by fea, did give them a woillie of float, and lenchit owt thair boatis and followed them, which the rebellis anfuert with thair shoate; fo as the luiftenant, Sir Oliwer Lambert, and all that war one the shoare, might fie the luiftenants boattis and the rebellis boate gif fyre to wthere a longe tyme: A rock likwayis neire to the castell, wherone thair was plantit a number of muskiteris, did gewe the rebellis, at thair wthing owt, a woillie of float. The rebellis boate, being moire swift then the boats that werre apoyntit to watche them that night, did ower rowe them; and the rebellis boatte being sum what on thight, althoghe werie swift, thei were forcit to drawe to the narrest shoire thei culd cum att, and landit in the Oe of Illa, where thair boate wes funk. The luiftenant sent presentlie efter thame, in ewerie corner of the cuntrie, and causit brek all the boattis of the Ille, fo as thei can not eshaiepe.

One the 3 of February, the luiftenant did hold ane justice cowrt, where thaire were, of the rebellis that war taikin in the castell of Dwnywege, fowrtiene hengt. Angus Oge him self, and Alaster M<sup>c</sup>Karlye, one of the ringlederis, and two messengeris, that ar privie to all the rebellis proceid- ingis, ar to be sent to the counfell, thair to be examinitt. I wnderstand by Angus that he hes not beine the first dewyffer of this treasoun. I leave to wryt any moire of this untill a better tyme. Thair ar sex wha war aprehendit in the Ille and fort of Lochgwrime, to be execut one the sext of February. Thair ware sex of the rebellis that went owt of the castell, one the boat aprehendit and exeewtt. Thair is onlie, at the writ- ting heirof, foure of the name of Clandonald as yet onaprehendit. Thair ar nyne or tenn of wther clannis, wha war thair affociats, as yet onapre- hendit: Thei ar feprat, and the foure M<sup>c</sup>Donaldis ar be them fells; and the rest of the wther clanns ar ewerie ane be them fells. Sence my cuming heir, I fand owt a number of images, whiche I hawe causit be bruntt. The religioun that the cuntrie pepill hes heir amongst them is Popishe, for thair is newer a minister in the wholle Ille, except wan poore

man, that the biſhop did leave heir. I wnderſtand, be the luiftenant, that he hes iuſt caus to complein of thoſe wha war commandit to aſſiſt him be the proclamatioun.

Dwring the ſervice, thair is nether boat nor bark come frome Scotland with any furniſhing, nochtwithſtanding of all derectionis that the counfell gave for the fame.

This is the trewe accompt of all that hes as yet proceedit in his maieſties ſervice.

AR. CAMPBELL.

CCCXLIX.—SIR OLIVER LAMBERT'S LETTER TO THE REBELS.

THAT his maieſtie ſhould derect his forces, his cannons, and his prowiflioun, at this tyme of the yeir, and put himſelf at ſo grypt a charge, wnto a place that is alredie in his ſubiection, can not but be much doubtit by me; and being loth to ſpend any longer tyme in this, if that ye wryt be trew, I fend this my ſerwant, both to reid your warrant, and to bring me a trew coppie thair of, wnder your hand, which I expect preſentlie, and the faif retwrne of this berar. Frome the Whit Forland, the 16 of December.

Indorſed :

“ The copie of Sir Oliwer Lambertis  
ſecund letter to the Rebellis.”

CCCL.—COPY OF GRAHAMES ALLEDGED INSTRUCTIONS.

*God Save the King.*

MEMORANDUM OF THE CHANCELERIS DERECTION TO BE OBEYIT. >

FIRST,

To ſpeir at the caiptanes of Dunywege, whome thei hawe to warrand them frome the forces of the kyng of Britanes power and all

thes nationes, wha ar chargit, not only to tak the castell, bot to apprehend them whiter thei go.

Secundlie, To defyr the said caiptanes, in the counfellis name and myn, to rander yow the prifoneris and hous; and yff thei be loth to twin with the hous, that yow mak ane of thair awin chosing, caiptane, till the kyngs will and counfell come till them. This, if thei do without any ferimonies, I promeis yow be word, that the counfell and I fall work at the kyngs hand, to forder any thing refonabill thei wald, and fall fend yow, or any wther, to court for that effect.

Thridlie, If the said caiptanes, or any of thair freindis, hes any petitions to the king or counfell for \_\_\_\_\_, let them fend the fame with yow, and ye fall have ane aufwer back agane tharof sbortlie, and the counfell fall do for them thairin.

Fowrtlie, If thei have done any misforder, that thei wald have remission, or suspentioun, or relaxatioun, bring with yow the informatioun, and thei falbe grantit, swa that thei obey yow in ovr name, quhilk we ar affurit thei will.

Fyftlie, Let thame knaw quhat gryt expensis the kyng was dryvin to be the feige of Kirkway, quhat gryt anger he conceawit for the fame, and how mercieles all was execut; and if thei hald fwrthe till thei be bot chargit with the Lyoune, no remeid is for thame, and all the kinred in Scotland; and if thair kin in Iyrland gif thame bot cowntenance, thei falbe wterlie wrackit.

Sextlie, If thei obey ws in your perfoune, we fall not onlie labour at his maiesties handis for thair pardoune, bot for thair possessiounis at the kingis hand, swa that thei pay for the fame, as falbe modifiet, and fynd cationne for the fame.

Sewintlie, If ye will bid my self be cationn for them, wnder sicke con-



ditounis, as I hawe shawin yow, I will not fail to do the same, and will labor for them all that I may. Sa, wishing yow a hapie journey. 17 November.

This is the trew copie of the chanceleris warrand, receawit frome George Grahame, that day I delywerit possessioun of this castell to thame, in the kyngis behalf. Witnes of our handis, the 17 of December 1615.

ANGUS OGE MACDONALD.

COLL MACGILESPIK.

Indorfed :

“ The Copie of Grahams aledgit  
Instructionis.”



## ADDITIONAL LETTERS.



## ADDITIONAL LETTERS.

CCCLI.—LETTER, MR THOMAS HAMILTON, LORD ADVOCATE, TO THE  
LORD SECRETARY.\*

MY lord, conforme to your lordships letter, I haue gevin to Mr Adame, your lordships anfuer to the questionis, with Johne Knoxis appellation, fa fone as Maister Peter cummis to this towne, I fall get the Frenche discipline fra him and delyuer it to Mr Adam. As to your warrands for the bukes of the presbiteries and fession of St Androis, and of the fession of Pittenweme, thay will be grantit; bot gif thay requyre secrecie, I wald your lordship cauffit wryte thame with ane vnknawn hand, and fend thame to me, and thereafter I fall caufs subfcrbye thame, and fend thame bak to your lordship; alwayes your lordship hes to confider gif it be expedient to kyth in over mony of these turnis whill the kirk of Edinburgh be provydit, whairin it is brutit that our auld paf-touris hes ane refpect to thair returning hame agane, and the king profeflis panielie as he utterit it in the affemblie, that he will haue it vther-

\* From the Balcarres Papers.

ways. It fervis me to wairne 3owr lordship, for whan this is said I fall do what 3owr lordship resolves to be best.

I have fend to the Clerk of Register for the sicht of the auld commiffion anent the vifitation and reformation of the Vniuerfite of St Androis. I hope to get it with fik diligence as he vfis in extracting of all fic maters, and it fall not thereafter mowle in my poutche, but fall be fend to 3owr lordship with haift. I vnderftand that his maieftie meanis that Maifter David Blak fall be transplantit; bot as to Maifter Robert Wallace, it appeiris be that his maiefties felf hes said to me, that the bill is fowlit, and aggreit, for efter that his maieftie had handlit him verie fchairprie in oppen affembly, baith vpone Satterday and Mononday left. Vpone Mononday, at evin, Maifter Robert came to his maiefties chalmer at ellevin houres at evin, grantand his great overficht, and declairand the fame to have proceidit of the weftland voyaige whilk he maid with Maifter Robert Bruce at the triumphant vifitationis of the kirkis of that cuntrey, with thair mouftouris and wapinfchawings, and vpone ane vniuerfall conclufion had amongis the maift zealous brethren to ftryve a *qui mieux mieux* fould invey againis the papift lordis and his hienes counfellouris whom the brethren fufpectit to be the inbringeris and menteaneris of thaim in this cuntrey. In end he promefit that heirefter whan he hard any fik reportis of his hienes or counfall, he fould wryte to the kings minifters thairanent, and conforme to the tryell and anfuer, fould proceed, and na vtherwayes: Whilk condicion feymis to be acceptit, with proteftation that his maieftie fould nocht mak him the war for ony thing he had fecretly difcoverit to him. Patrik Murray caufit his maieftie command me to forme his Inftreuctions anent his proceidings in his Northland journey; I anfwerit I fould fend thame to 3owr lordship not for my awn fweirnes, bot that 3owr lordship fould not be misknawn in 3owr office, nor weir owt of employment in 3owr office. Gif I reflaue the minute of thame, I fall fie ane boy and haift thame to 3owr lordship. Tak ordour be 3owr letter to William Mauld, that gif any fik occafion fall furth hereafter, he may fend 3owr lordship bearars. 3owr freinds heir ar all weill and better nor 3owr felf.

It appeiris be my Lord Eglifchamis returning from Beruik, that ane fleand man will fecht agane, whilk appeiris alfo be owre brethir, the paf-tours of this towne. We ar now buſie to ſatiſſie the Inglis ambaſſadour, and pay him in vther money nor be the delyuerie of oure wairdanis, whilk all men is ſtokkit to reſufe. Swa, having no farder occaſion at this preſent, committis ʒowr lordſhip with my gude lady (to whome I wiſs lang lyfe with continuance of hir gude mynd) to the proteſtion of God. At Edin-burgh, this 21 May 1597.

ʒowr Lordſhips affurit to be commandit,

MR TH. HAMILTON.

*Poſſcript.*

Gif my letters be heirefter confuſit and ſpurrit, I hope ʒowr lordſhip will impute it to his maieſties preſence, and the feſſion fitting.

I haue reſſauit this nicht at evin from Patrik Murray, the copie of the articles ſet downe be the aſſemblie, as Inſtructions to the Commiſſionaris appoyntit for reſolving and abſolving of the erles. I beleve ʒowr lordſhip will not think it neceſſar to mak ony farder mentioun thairof in Patrikis Inſtructions, bot generallie to direct him to concur with the Commiſſionaris of the kirk to moue the erlis to ſatiſſie and obey thair articles.

ʒowr lordſhip will likways reſſaue the copie of the band ʒe formit to be ſubſcryvit be the Erle of Huntlie and his cautionars. It is neidfull that it be renewit, and ſamekill thairof retranchit as is alreddie performit, omitting his removing furth of the cuntrey, his behaviour, incais of his removing, his keeping of wairde, and ſik vther articles as ar all tane away be his ſatiſſaſtioun of the kirk. Alwayes ʒowr lordſhip having confiderit

the kings articles minutit be Maister Hercules, and the copie of the kirkis articles, 3owr lordship will consider how mekill will be expedient to be inferit in the band aither generallie or particularlie.

The kings articles ar pennit be Maister Hercules, onlie to ferve for information : he begins in the third perfon to speik of the king, albeit the Instructions proceeds of the king. 3owr lordship will keip the substance and correct the formalitie. In the article concerning the reconciliation of the feidis and grudgis, it feymis gude 3owr lordship direct Patrick to be principall Commiffionar for his maiestie, and he to inform the minifters nominat be his maiestie in the last affembly to concur with Patrik according to the information to be gevin to the minifters be him of the kingis mynd thairanent.

Reffaue the commiffion for vifitation of Collegis in anno 1578. The Clerk of Register fays 3e haue alreddie ane commiffioun laitlie grantit to 3owr felf.

Efter advyfement, gif 3owr lordship will collect ane forme furth of baith the formes, with fik additions anent your inquistioun, creatioun of 3owr procutour fiscall, and ficlyk heads, and fend it over to me, it fall be past with 3owr vther warrands.

I pray 3owr lordship fend bak Patrik Murrays Instruccionis als fone as they may be reddie. *Iterum atque iterum vale.*

To my verie gude lord, my Lord  
Secretare.

*Indorsed,*

“ My Lord Aduocat, anent the Erle of  
Huntlies directions, Minifters, &c. Martij  
21, 1597.”



CCCLII.—INSTRUCTIONIS GEVIN BE HIS MAIESTIE TO PATRIK MURRAY, GENTELMAN OF HIS HIENES CHALMER, TO BE DONE AND PERFORMET BE HIM IN THE NORTH PAIRTIS OF THIS REALME, QUHAR HIS MAIESTIE HES PRESENTLIE DIRECTIT HIM, FOR ACCOMPLISHING OF THE SERUVICES VNDERWRITTEN.\*

1. INPRIMIS, forfameikill as the generall affemblic of this realme, hes grantit commissiōne to certane ministeris to absolue the Erllis of Huntlie, Anguis, and Erroll, fra the sentence of excommunicatioun, the faidis Erllis first fulfilland certane conditionis, inioynet to them be the faid affemblei; quhilkis conditionis being maist reasonable, tending alutterlie to the glorie of God, and to the auancement of the trew religiōne, quharby ve of our princle dewtie, hes maist speciall entres to fei the famin accompleisset: Thairfoir 3e in ovr name fall be prefent with the faidis Commissiōnaris of the Generall Affemblic, at the dayis and places appoyntit, to the effect 3e may fei, and report again to vs sufficient documents anent the actual fullfilling of the faidis conditionis in ewrie head and article therof, according as thay ar set downe in the faid act of the Generall Affemblic.

2. Secundlie, 3e fall prefent to ewrie ane of the faidis thrie erllis, the coppie of the generall band, and requyre them in our name to subferyue the sam, and to find sufficient cautioneris for ther obedience to vs, and for ther keiping of our pace and guid ordoure in the cuntrie be them felfis, ther kin, freindis, seruandis, and tenentis, &c. conforme to the faid generall band in all poyntis, ilk ane of the faidis erllis, vnder the paine of tuentie thousand pund, as dyuers vtheris of our nobilitie of ther ranke, and vtheris cheifis of klanis hes done of befoir; for the quhilk effect 3e fall refaue letters directit be vs, and the Lordis of our Secret Counsell, to chairg the faidis erllis, and curie ane of them, to subferyue the faid generall band, and to find sufficient caution for obseruing therof; quhilk band and obligatiōne, sua subferyuett be them and ther cautioneris, 3e fall

\* From the Balcarres Papers.

report againe to vs, to be registerit in the buikis of our Secretit Counfall: And gif ther be ony dowt, that ony of the said cautioneris is not responfable, 3e fall aduerteis vs, and our counfall therof, that 3e may know our aduyce therin.

3. Thridlie, in respect of the sklander be my Ladie Huntlies plaine professiōne of papistrei, 3e fall in our name, baith requyre hirselt that scho vill suffer hir self to be instructit in the trew religiōne, and to cum to the opine professiōne therof; as also, 3e fall requyr my lord hir husband to daill with hir earnestlie heirannent, that his lordship's hous may be klengeitt of all sklandrus suspiciōne of papistrie.

4. Fourtli, forfameikle as be the following of ewill counfall, dyuers trubbilis hes arysin in that cuntrei; quhairin the said Erle of Huntlie is in the place of ane shireff and magistrat vnder vs, quhairby he hes maistmister of guid counsell for auancement of our seruice, and keeping of guid ordour in the cuntrie; quhairfoir 3e fall schaw to the said erle that it is our vill to appoynt to him, ane counsell of barronis of the best affectit, and maist zelus in religiōne, with sum godlie ministeris to be adioynit with them, quhois aduyce the said erle fall subget himself, to follow in all vechtie affairis of the cuntrie, and concerning our publict seruice, according to the particular names of the saidis barronis and ministeris, quhairof ve haue gevin 3ou ane feuerall tikett subscryuet with our hand.

5. Fyftlie, for fameikle as our seruice is grytumlie henderit be the deadlie feadis among our subietts, for reconseiling quhairof ve sett downe ane generall ordour, to be followet out in all the partis of our realme, quhilk as zit hes tane na effect in the said north partis, be reasone of the trubilis, albeit praiset be God with our gryt paines and trauelis, the said ordour hes produceit ane reasonable quyetnes, in all the remanent partis of our realme. Thairfoir 3e in our name, as hawing our speciall power and commissiōne to that effect, fall earnestlie deall to tak vp all the saidis feadis, betwix quhatfumewer our subgetis in the said north partis; in the quhilk

commiffione ve haue affociat vith ʒow, Mr Dawid Cuninghame, Bifchop of Aberdene, Mr Peiter Blakburne, Mr Robert Howie, Mr Johne Forbes, Mr Johne Strawquhan, Mr George Hay, miniſteris, and Mr David Reat, principall of the college, quhom ve haue commandit be thir prefentis, to aſſiſt ʒow be ther trauelis and mediation in the ſaid guid vark, for appoynting and reconfeiling of the feadis betuix my Lord Huntlie and my Lord Forbes, the Laird of Drum, and yung Frindrach, and betuix the Erle of Erroll and the Laird of Ludquharne; betuix the Lairdis of Geicht and Benholme; betuix the Lairdis of Clunnie and Korfindaie; betuix the Laird of Boquhen and Villiam Stewart, and ſik vther feadis quhairof ʒe fall refeaue information in the cuntries. And for the better accompliſhing of the premis, ʒe fall reſaue and caws execut letteris, directit be vs and the Lordis of our Secreit Counſall, to charge all the ſaidis perſonis to ſubſeryue aſſurancis, ilk ane to vther, in the commowne forme, the ſaidis aſſurancis to induir and leſt quhill the firſt day of Apryll nixt to cum.

CCCLIII.—THE REPORT OF THE MINISTERIS QUHA WER APPOINTIT TO  
INTREIT WITH THE ERLE OF HUNTIE.\*

WE, the miniſteris of Angus, Mernis, Aberdene, and Murray, appoyntit commiſſioneris be the laſt generall aſſemblic haldin at Perth for tryall of the Erle of Huntlyes obedience to the particular iniunctiouns ſet down be the ſayd Aſſemblic, and imponit to his lordſhip, for declaratioun of his repentance for the offences committit be him, as thay ar mentionat in the ſaydis directiouns, teſtifie and declair that we haue fund him obedient and willing to ſatiſſie in all humbill manner to continew and perfeueir in his earneſt ſuit for reconciliatioun of the kirk, and eſtir lang conference and ryip aduyſement to haue conſentit to the fulfilling of the ſaydis hail condiitiouns, quhairof the particular anſueris followis.

\* From the Balcarres Papers.

1. The first is obeyit, for his lordship compeirit at Aberdene the xxij of Marche appoyntit, and thair abaid awaiting doctrine and conference to the haill commissiouneris appoyntit were satisfieit with his resolutioun.

2. The brethren appoyntit to deall with him brocht his lordship, efter ressoning ane conuenient space, to allow all the weritie in the hail groundis of resolutioun affirmatiue resoluut his doutis be the word of God, and mowit his lordship with knowlege to refus and deteist all heidis of papistrie contrair to the fame.

3. He acknowleges the reformit kirk of Scotland to be the trew kirk; he is content to declair his coniunctioun to the kirk of Scotland, in the worde, sacramentis, and discipline, as they ar authorized be his maiestie and estaitis presentlie in sik manner as the kirk fall think maist expedient.

4. He is reddie to fueir and subferywe the confessioun of faith in presence of the haill commissiouneris, sa fone as thay fall cum abak with power to pronounce his absolutioun.

5. In signifiatioun of his obedience to this article, he hes declairit to the haill commissiouneris, that sen he enterit in dealling with the kirk he neur intercommonit, be word or writ, with ony Jesuit preist or excommunicat papist, except sa mony as ar vnder conference with the kirk, and is content to byid therat in all tymes cumming, siclyk he fall baneis out of his cumpanie and haill boundis in the quhilkis nane fall hawe ressalt that ar professit enemies to the religioun be his knowlege, and fall giue his writtin band as the article prescriywis, except sa mony excommunicat papistis as the kirk fall guve licence to deall with.

6. He is content now or heirafter to satisfie for his apostasie in the place appoyntit at the discretioun of the saydis commissiouneris.

7. He declairit his unfeinzeit greiff for committing of the slauchter of the erle of Murray, and will satisfie the pairtie be the sycht of the kingis maiestie, of the kirk, or of godlie and indifferent freindis: will mak offeris to that effect, lyk as he hes gevin ane blank to his maiestie to be filled vp with particulaire assyithment.

8. He promiss now or heirafter to craue of God mercy for the said slauchter, quhen, quhair, and how, the kirkes commissiouneris soirfaydis fall appoynt.

9. At the defyr of the faydis commiffioneris he presentlie remittis all rancour and malice confaut be him for any occafion or deid offerit to him be the cuntrey men in the kingis feruice, and promittis vpon his fidelitie newir to quarrell ony for the fame within thefe boundis, and specialie none of the miniftrie, ether north or fouth.

10. He aggreis that thir prefent commiffioneris, or fa mony of the hail thre prouinces as fall be meitteft for the wark, with the lairdis of Pittlurg, Clunie, \* fall fet downe ane ordour for prouifoun of his kirkis, quhilk he promifes to execute immediatelie eftir his abfolucioun.

11. Be the aduyce of the faydis commiffioneris he promittis to tak ane minifter, and to entertein him in his awin boufe.

12. He confeffis that be his publiet offences he gawe fufficient matter to the kirk to haue deducit the fentence of excommunicatioun againis him.

[*Indorfed*]

“Copie of the Articles fubferyveit be  
the Erle of Huntlie, 1596.”

CCCLIV.—LORD BINNING TO THE KING.†

MOST SACRED SOUERANE,

What wes proceeded in the Nationall Counfall kept be your maiefties permiffion the laft oulk in this towne was fignified be my letters of the 18, no mater of moment then refting to be concluded, bot the Marqueis of Huntlies abfolucion, who cumming to this towne vpon Tyfday at night as wes appoynted, yefterday the two Archibifchoppis, the Bifhop of Brechin, your maiefties deputie thefaurar, the laird of Cors, and I, went to the Marqueis his ludgeing, and eftir two or thrie houres conference, agried vpon the maner of his abfolucion; and meiting in the afternoon in publiet afemblee, that mater being proponed and modeftlie rea-

\* Sic in MS.

† This letter, and the remaining ones, are from papers relative to Church affairs, MS.

soned be sum of the preciest fort, the Archibischop of Santandrois replied so wyfelie, and made so tymelie vse of sum clausies of your maiesties letter from Nottinghame, which be gude fortune came to his handis that same day, that in end the absolution wes concluded, and the marqueis compeirand, and granting his bypast offence, promeisng constant perseuerance in the trew religion, which he thair acknowledged, and subscryved publiklie the articles thair of, exhibited to him in presence of all the assemblie, he wes absolued, to the exceeding great joy of all that wer present. This is one of the workis of your maiesties most excellent wisdome, whairfra all men expect gude helpis, to the peace of the estate and churche of this kingdome. All your maiesties vther directions, being most iust, reasonable, and profitable for the cuntrie, wer allowed with such humilitie, hairtinesse, thankesgeving and prayer to God for your maiesties preferuation, and long and happie raigne, as your maiesties caire of the vniuersall good of the kingdome does obleis all faithfull subiectis sincerelie to wish. Many haue approuen thame selues duetiful in this seruice; bot I owe particular testimonie to the Erle of Montrois his affectioun, and to his graue and honorable behaiour; and to the Archibischop of Santandrois his modestie, pacience, wisdome, and trauellis, whairby he so conteaned the whole number within the boundis of duetie and obedience, as did greatlie facilitat the good succeffe of the buslines. So, wishing the lyke in all your maiesties intentions and directions, and that God may be gratiousslie pleased long to blisse ws with the continuance of your wyfe, iuste and gracious raigne, I rest

Your most sacred Maiesties most humble,  
faithfull, and bund seruand,

Aberdene, 22 Aug. [1616?]

BINNING.

## CCCLV.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I thought no meane so fit to mak your maiesties gude pleafour and expres command to your counfall and principall officers to hald hand to the approbation of the approcheing Generall Assemblie of these articles proponed to your maiestie, being in this cuntrie in churche maters knowne to the counfall as be publict reading of your maiesties letter in counfall, which thay all acknouledged so wyfe and iust, as thay with hairtie consent all promised to aduance it to thair vttermoſt, and not onlie to withdraw thair fauour and countenance from any who ſould oppoſe thame ſelfis, bot alſo to concur with the prelats in the puniſhment of ſuch as thay ſould find wourthie of cenſure, which I am perſuaded thay will due-ly performe.

Vpon the firſt of this moneth we conuened, to giue beginning to the commiſſion for plantation of the churches; bot the moſt part of the commiſſionaris being abſent, we wer forced to continow the dyet to the ſe-  
vint, and directed ſummar charges of horning agains theſe who wer abſent, and not lawfullie excuſed; bot thay ar ſince cum to this towne in ſufficient number to keip the day appoynted, and as thay ſhall proceed, your maieſtie ſhall be aduerteiſed.

The commiſſionars of the rentis haue had before thame the vnder refauers of the cuſtumes at the ſeuerall portis of this kingdome, and haue appoynted thame to vplift the cuſtumes to your maieſties uſe, intending to mak ſeuerall takkis thair of, if thay ſhall heirefter find reſponſall pairties who will offer profittable condicions for thame to your maieſtie; and be-  
cauſe none can be tryed to mak any gude offer for the impoſt, thay ar in hope to get thame ſo exactlie vplifted, as your maieſtie ſhall haue the full commoditie thair of, with leſſe loſſe this year, nor if thay ſould haue yeild-  
ed to ane tak, with diminution of your maieſties accuſtumed rental thair of.

The bourrowes have sent thair commiffionars to this towne to confult vpon the motion of transport of our native commodities in cuntrie bot-tomes, with prohibition to ftrangers fo long as thair is any of oure owne fchippis to ferue : thay ar to exhibit thair ouuertures thairanent the next oulk, which fall be sent to your maieftie with diligence.

The Generall Affemblic is proclaimed to be kept at Santandrois the 25 of this moneth, whairin wifhing your maieftie contentment, and per-fyte happines in all your vther royall diffeins and affaires, I reft

Your moft facred Maiefties moft humble,  
faithfull, and bund feruant,

BINNING.

Edinburgh, 7 Nouember [1617?]

To the Kingis moft facred Maieftie.

CCCLVI.—LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

My former letters told that the Archibifhop of Santandrois, his going to Fyffe, for preparation of the Generall Affemblic, had difcon-tinowed oure proceeding in the commiffion for plantation of churches, whill the firft of December ; befydes the appeirance that the Seffion could be interrupted during the Affemblic, in refpect of that number of ordi-nar feffionars, which is appoynted to affift your maiefties commiffionar at that meiting.

The counfall, obeying your maiefties direction, wrait fyftene dayes ago to all thefe of your Counfall or Seffion, whom your maieftie ordaned to be at the affemblic ; and in particular to the erle of Montrois, defigned Commiffionar be your maieftie, to keip the prefixed tyme.



This day my lord Chancelar ressaue ane letter from him, bearing, that, albeit he be most willing to serue your maiestie in all that can be inioyned to him, yet his indisposition is so great as he can not be able to trauell, nor serue at this tyme in that charge; which, being communicat be my lord Chancelar to the Erle of Mar, and sum vthers of your maiesties counsell, we presentlie wrait to him earnestlie defyring that, all excuses fet asyde, he shoulde accept and discharge that commission, which your maiestie had trusted to him; and with the lyke diligence, wrait to my lord of Santandrois of the Erle of Montrois his excuse, and of oure defyre to know his opinion, what was fittest to be done for your maiesties satisfactioun, and performance of your maiesties intentions, whoes speidie answer we expect; and what shall be resolved and done hereintill shall with all convenient celeritie be signified to your maiestie. So, prayeing God long to prosper and preserve your maiestie in all wished contentment, I rest

Your most sacred Maiesties most humble, faithfull,  
and bound subiect and seruant,

BINNING.

Edinburgh, 20 of Nouember, at night, [1617?]

To the Kingis most sacred Maiestie.

CCCLVII.—LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

In the assemblie now dissolved, nothing was proponed but the articles sent be your maiestie. Ane great pairt of the ministers wer so wilfullie inclined to haue the haill differred at this tyme, to the effect thay might haue laiser and opportunitie, be reiding the fathers and coun-

fals, to resoluē, if with gude conscience, and without scandall of incon-  
 stancie to the kirk and thamefelfis, thay might yeild to the alterations and  
 nouelties which thay imagined the articles to imply, that it wes verie  
 difficult to my lordis of Santandrois, Glasgo, and remanent bishops, as-  
 sisted be the wyfest and learnedest of the ministrie and your maiesties  
 commissioners, to induce the difordered multitude and thair leiders, to  
 determine vpon any particular, and so being driven to the extremitie  
 either to dissolue the assemblie without any maner of progres, and with  
 manifest dissension, or to mak vse of the best expedient the tyme could  
 produce in the determination of sum of the articles, all the best affected  
 to your maiesties seruice thought it expedient to accept what wisdom and  
 authoritie could gayne at this tyme, and leive the rest vnder hope and  
 promise of satisfaction at the next assemblie; and so the article of geuing  
 the communion to the impotent and dangeroussie feik in thair privat  
 houses, and deliuerie of the elements owt of the ministers handis to the  
 people at the publict celebration, being obtained in such maner as the  
 formed articles to be sent to your maiestie, be my lord of Santandrois  
 beares. When the article of the holie dayes wes of new vrged, the de-  
 fyre of delay wes so vniuersall in that and the rest of the propositions,  
 that the bishops wer forced, for feare of ane direct refusall, to yeild to  
 the continuation, vpon promise maid be the most pairt of the pretended  
 precicians, that thay wald vse all possible endeours to prepare thame selfis,  
 with consent of thair well informed flockis, to giue your maiestie satisfac-  
 tion at the nixt assemblie. My lord of Santandrois' feare of your  
 maiesties offence be delay of your so iust and godlie desynes, maid him so  
 passionatlie instant, as he could scaircelie be induced be any perswasion to  
 accept any dowtfull or delatorie answer, and moued him to threaten  
 thame with your maiesties resolution to ordane be actis and penall pro-  
 clamations aganis the contravenars, to haue all these articles vndelayed-  
 lie obeyed, schawing to thame how disgracefull it wald be to the Kirk of  
 Scotland, in the iugement of all the reformed churches in Europe,  
 that our ignorant and obstinat refusall of so godlie and lausfull propo-  
 sitions, sould force your maiestie, be your Christian authoritie, to compell  
 thame to do that which thair duetie sould haue moued thame to embrace,

with thankfull acknowledgement of your maiesties caire to haue the abuses of oure churche discipline reformed, and rightlie conformed to the vniuerfall order of all the rest of the true Christian Churches in Europe; bot the rest thinking the delay, with assured hope of satisfiæction, les hurtfull nor ane abrupt and contradictorie dissolution, which we all most humblie wish that your maiestie may graciouslie allow, since we ar confidentlie perswaded that the nixt meiting fall giue your maiestie contentment, speciallie if your maiestie grace the nixt assemblie with commissionars of greater sufficiencie and authoritie; albeit I may affirme and hope the bishops will testifie that these who wer at this tyme employed wanted no gude will to giue thair best concurrence. So, wishing to your maiestie manie happie yeires, that we may enioy the constant frutes of your most prudent and gracious regne, I rest

Your most sacred Maiesties most humble, faithfull,  
and obedient subiect and seruant,

BINNING.

Santandrois, 28th Nouemb.  
at night [1617?]

CCCLVIII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

This day certification is granted be the counfell aganis the Erle of Argyle, and he ordaned to be denounced and repute as ane traitour for not compeirance.

The commissioners for the bourrowes and schipmaisters haue bene before the counfell, and their controuerfie, for exportation and importation of merchandice in cuntrie bottomes, is to be determined before they go from this towne.

I signified to the counsell your maiesties pleafour anent their repairing to ferman vpon the Soundayes, to your maiesties chapell of Halyrudhows, which they ar willing to do, and wald haue done alreddie, if the Bischop of Gallowayes heaue seiknes had not hindered him to preache this tyme bygane. He promiseis to aduerteis the counsell when his recouerie fall inable him to preache, and they to refort to it as your maiestie hes commanded.

All other directions signified be me to the counsell be your maiesties commandement ar obeyed. So, prayeing God to establissh the perfyte happines of your faithfull subiectis heir, be the wished lenth and number of your maiesties most prosperous yeires, in health and contentment, I rest

Your most sacred Maiesties most humble, faithfull,  
and obleissed subiect and feruant,

BINNING.

Edinburgh, 4th Feb. [1618 ?]

To the Kingis most sacred Maiestie.

CCCLIX.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

At oure cumming to this towne, finding that the most precife and wilfull Puritanes wer chofin commiffionars be manie of the presbiteries, specialle of Lowthian and Fyfe, I wes extreamlie doubtfull of the succes of your majesties religious and iust desires. At the privat meiting of your maiesties commiffionars and the bishops, my Lord of Santandrois denied not the apparent difficultie, bot declaired that, being hopefull, that the happines which alwayes accompanied the iustice of your royall disseins

wald not faile in this aëtion, he thocht the victorie wold be more perfyte, and the obedience more hairtie, when the Puritanes fould fie the articles concluded in the prefence of thair greateft patrons, thair opinions being confuted be liuelie reafons and vndeniable trueth.

The ferman before the Affembly wes maid be the Bifhop of Aberden, who, with great dexteritie, proponed the weght of the pourpofes to be entreated, and the neceffitie of confideration, that the bodie of the Church being affembled be your royall direëtion for treating of articles proponed be your maieftie, firft to ane number of the principall minifters at Santandrois, and thairefter in the Affembly at Santandrois, your maieftie had confaued great offence for the delayes then vfed; and being perfuaded in your excellent wifdome and confcience, that the articles wer juft and godlie, and onlie fchifted becaus thay wer proponed be your maieftie, be fuch as had gloried to be oppofite to your facred defires, it wes to be feared, if, at this tyme, your maieftie fould not reflaue fatiffaction, your wraith might be fo kindled, as the Church, loufing your wounted fatherlie fauour, thay might feill the heaue preiudice of that confequence. And thairfore exhorted thame, in humilitie, zeale, and Chriftian loue, to difpofe thamefelues to proceid wifelie, and with all due refpect to your maieftie.

At the meiting of the Affembly, the Archibifhop of Santandrois made the exhortation, and be ane moft godlie and wife difcours, remembred the auditouris of your maiefties infinit benefites to the Churche, your wifdome in thair direëtion for the keiping of puritie, and fuppreffing poperie; your patrocinie of the good, mercie to offenders of thair profeffion, caire for prouifion of mentenance to paftours, and learning and zeale in defence of the true Religion be your moft famous workes publifhed aganis the aduerfars, which had incensed the Papifts to think your maieftie the onlie lat of thair prevailing; and for that onlie querrel, to feik, by treacherous meanes, the trouble of your eftate, and deftruëtion of your facred perfon: and the true profeffours throw all Europe to honour your maieftie as the proteëtour of all the Reformed Churches, and to acknowledge your maieftie the vmpire, and moft competent and beft qualified iuge of all controuerfies arrifing amongis thame. Exhorting,

thairfore, eurie one to confider and acknouledge how iustlie thay wer bund to expresse thair loyall respect and true obedience to your maiestie, by yeilding to your laufull desires in the articles proponed.

The exhortation ended, he called the commissiounars, and nominated these for the conference. Sum proponed that ane moderator might be chosin, whom he silenced, becaus he wald not suffer the privilege of his place to be questioned: And thairefter rehearsing what had been done in the Assemblie at Santandrois, and wittellie taking it *pro confesso* that all the articles wer in substance allowed thair, except that of kneeling at the communion, proponed that to be disputed. Great instance wes maid, that, the mater being of so heigh consequence, might be entreated in the publick Assemblie, bot the contrare wes ordaned. Difficultie wes maid anent the conception of the wourds of the question, and the opposites vrged that reasons might be geuin why the article wes necessar. It wes answered and concluded, that the articles cumming from your maiestie could be allowed, vnles thay could proue it wer vnlaifull. So Maister William Scot of Couper, being commanded to speak, opponed aganis the article with modestie, and protestation that he wold be vnwilling to adduce reasons to impugne ane proposition cumming from your maiestie; and thairefter, proceeding to his arguments, wes secunded be Maister John Carmichell, with more vehemencie and wilfulness. They alledged that the ordour presentlie obserued in this cuntrie being agreeable to the wourd, and Chrystes institution, and thay fworne at thair admission to the ministrie to obserue the true religion and discipline ressaued in this Church, thay could not with faif conscience alter it: which being censured, thay came to the substance of the question, anent the maner of ressauing, and spent the rest of that day, and ane part of the nixt, in disputation vpon that subiect. Nothing being omitted be the aduersars, which thair owne inuentions, or the writings of these who allow thair opinion, could suggest; which being wiselie and learnedlie refuted be my Lord of Glasgo, whom Doctour Lindsay of Dundie, and Doctour Philp of Arbroth, Doctour Bruce, and sum vthers of the best and most learned, did assist, with manie evident and pithie reasons, the article wes ordaned to be voted in the conference, and in end allowed be so great oddis of voices, as

gaue wonderfull contentment to all the well affected; yet the number of the vulgar minifters having vote in the publick Affemblic being verie great, oure dowl refted what the euent might be, of that which depended vpon the opinions of ane multitude of ignorant or preoccupied people. For remeid whairof, my Lord of Santandrois, who, in direction, difputation, and all vther circumftances of this action, expreffed great wifdome, learning, and autoritie, well befeiming his place, delayed the voting the fecund day, that he and his brethren might haue fun tyme to difpofe thingis to ane wifhed end.

This day the bifhop of Galloway maid ane verie pertinent fermon, to perfuade the brethren to peace and edification. Thairefter, the Affemblic convening, new difturbances wer caffen in to reinuerfe all that wes done in the conference, and bring it of new to difputation, fo as my lord of Santandrois wes forced to permit all the articles to be of new reafoned; and if he had not be very graue autoritie reduced thair difcourfes to fuccinct and formell reafoning, it had bene impoffible to bring maters to any conclusion. Sum oppofitions maid yifterday wer this day repeated, and litle of any fubftance added be fuch as wer not of the conference, all which wes iudicioufflie and perfpicuoufflie refuted be my lords of Santandrois and Glasgo, and doctours Lindfay and Philp, whoes faithfull and proffitable endeouours merites your maiefties gracious remembrance.

If complaint be maid be maifter John Carmichell, that I wold not fuffer him to enlaarge his difcourf of the ancient controuerfie, betwix the eafterne and wefterne church, anent the precife day of Chryftes birth, I muft haue recours to your maiefties mercie.

In end, my lord of Santandrois, cutting fchort thair affectat fchiftis, whairby thay intended either to difapoint the mater, or to perfuade the Affemblic to remit it to ane vther meiting, he ordaned this propofition onlie to be voted, whether the Affemblic wald obey your maieftie, in admitting the articles proponed be your maieftie, or refufe thame. Sum inlifted to haue thame feuerallie voted, bot both he and the deane of Wincheftre (whofe diligence, difcretion, counfall, and gude affiftance in this feruice, hes bene faithfull and verie commendable) declared that your maieftie wald reftaue none, if all wer not granted; and fo being put to



voting in these termes, fourescoir and fex allowed the articles, fourtie and one refused thame, and three wer *non liquet*.

My Lord of Scone *antiquum obtinet*, and will neuer *aberrare a via regia*. My Lord Carnegie, the thesaurar depute, aduocat, Kilsyth, and Sir Andro Car, have done that faithfull dewtie which became thame.

The Erle of Louthian, the Lords Sanquhar, Vchiltrie, and Boyd, did lykwayes attend, with ane gude number of honorable and well affected barons; bot the prayfe of the succes being onlie due to the wisdom of your maiesties directions, the wourthiest instruments have bene the two archibischops and the bischops of Galloway and Aberdene, and remanent of thair estate, of whom none wer negligent or remisse, bot professiedlie resolved in the aduancement of the action. Many ministers kythed verie dewtifull both in reasoning and voting; but all these particulars I must remit to the deane of Winchester's relation; onlie assuring your maiestie, that albeit the contention was vehement, both in the conference and publict assemblie, yet efter thay wer voted, thair appeired great contentment in many gude mens faces, for the happie and peaceable approbation of your maiesties articles. If your continuall caire of the good of this cuntry and churche moue your royall mynd to intend heirefter any church maters of such consequence, I beseech your maiestie, for the good of your owne seruice, to employ ane more fit commissioner in my place, who am als vnkilfull in thir subiectis as I am vngracious to the opposites. So, thanking God for the blissed end of thir affaires, and praying him that your maiestie may long liue and happelie preuaile in all your royall interpryses, I rest

Your Maiesties most humble, faithfull,  
and bund seruant,

BINNING.

Santiohnston, the 27th of August,  
at night, 1618.

To the Kingis most sacred Maiestie.



## CCCLX.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

Your maiesties counfell in Scotland hes exped and fent hether the commission for treating with these of the Lowe Cuntries, anent the fischingis, together with information of the iniurie and preiudice sufteaned be the whole kingdome, be the encrease of their daylie vsurpation in your maiesties feas, and of manie wrongis done vpon land in Orkney and Zetland to diuers your maiesties subiects; bot becaus the complaints ar generall, I haue writtin to cause specifye the particulars, and the meanes of probation of the same.

The note of the counfels proceedings fent heirwith will testifye to your maiestie their exact diligence in all that does concerne this treatie, and in the execution of your royall commandements aganis the erle of Argyle. The Vicount Fentoun will mak knowne to your maiestie the estate of his escheat and lyfrent, which is in his brothers person.

Now, since the presence of the commissioners for the Lowe Cuntries is liklie to giue beginning to the treatie, I most humbly beseech your maiestie to let the commissioners for oure cuntry know the groundis which your maiestie will command vs to keip, and the poyntis we may vrge, which we fall stryue to obserue with all fidelitie and caire. The Marquis of Hamilton, whom your maiestie hes appoynted to be of that number, being particularlie informed be your maiestie of your pleafour in the premisfis, will be witnes of oure endeouours in the prosecution thairof. So, wishing that God may continow his grace and fauour in this and all your maiesties affaires, and prorogat your health, lyfe, and contentment manie happie yeiris, I rest

Your most sacred Maiesties most humble and  
faithfull subiect and seruant,

BINNING.

[*Postscript.*]

Pleafe your maiestie, when I wes closing this letter, I receiued from the Archibifchop of Santandrois ane letter aduerteifing that, vpon information of fume difobediencie liklie to kythe in fume minifters aganis the actis of the laft Affemblie, he had tryfted the bifchoppis to meit him at Edinburgh, whair they have ordaned the copies of the laft actis to be fent to the prefbyteries, with exprefse command to them to obey them.

They earniftlie defire that your maiestie may be pleafed to fend exprefse command by letter to Mr Alex<sup>r</sup> Gibfon not to giue owt letters to any minifter vpon the late modifications appoynted be the Commiffioners of parlement, vnles the minifters produce their Bifchops testimoniall of their conformitie to the actis of the late Affemblie, which direction requyres great haift.

Whythall, 28 Nouember, [1618?]

To the Kingis moft Sacred Maieftie.

CCCLXI.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I know your maiestie will expect from me true and timelie relation of the obferuation of Easter day in this towne. The accompt of the performance of your maiesties directions, conteaned in my laft, fent to James Douglas, to be fchowne to your maiestie, told, that the priue counfallours abfent, whoes dwellingis wer neir this towne, wer, be my lord Chancelars letters, defired to cum and accompanie the number prefent, who wer to communicat heir according to your maiesties commandement. The Erles of Mar, Winton, Louthian, Lordis Fleiming and Bukcleuch,

came ; the rest wrait thair true excuses of aige or feiknes. Vpon Setter-day, I desired the lordis of fession to conuene vpon Easter day at my lord Chancelars ludgeing, that all the nomber might accompanie his lordship to church. The lyke wairning was sent to the priue Counsellours being in towne, who did as they wer desired. Maister Andro Ramfay made the sermon of preparation, and vsed verie good reasons to persuaide the people that, with safe conscience, they might, and in Christian duetic they wer bund, to obey that which was ordaned be the Assemblie, and commanded be your maiestie ; he having done the same vpon Good Fry-day. Maister Patrik Galloway preached vpon Easter day, who omitted no good meanes to instruct the people of the lawfulness of the ordour preseruyed, and necessitie of their obedience and conformitie ; and thairefter going to the celebration, the nobilmen, counsellours, and fessioners, going to the first table, all vpon their knees, maisters Galloway and Ramfay did first receive kneeling, and thairefter ministrd to the honorable persons being at table, geuing the bread and wyne to euerie one with their owne handis, with the recommendation and substance of the holie sacrament, so zealouslie as moued the people to receiue with great humilitie and deuotion ; whoes exemple wes so uniformellie followed be the whole congregation present, that neither man nor woman, during the space of almost foure houris, offered to receiue sitting vpon the fumes, except one onelie baffe fellow ; and I am perswaded that all that did sie that holie action, or participat of it, depairted so well edified that, in their conscience, they regrait that this godlie and deuote order wes not soner instituted, and that in all their lyfe, they will neuer willinglie receiue in any other maner. Sum who wer in the Colledge Church haue told me, that the lyke order wes obserued their be maister Williame Struthers and maister Thomas Sydserf, with the lyke conformitie and contentment. It is true that many of the citizens of this towne, speciallie of the women, wer absent at other churches, bot the magistrats present gaue verie good exemple to the rest. This good and peaceable beginning perswadis wyfe men, that it will not be in the power of sum obstinat puritanes any longer to diuert any good Christians from embracing this godlie and reuerend institution. Of thir maters, and of the behaiour of

the people in the rest of the cuntrie, your maiestie will heare farder from the Bischops, who ar attending their chairges in their feuerall diocefes ; and if the ministers do their dueties, according to the good exemple begun in Edinburgh, I hope your maiestie shall haue no necessitie to vse authoritie or rigour, bot that God, who hes blessed all your maiesties godlie resolutions and iust commandements, shall bring this holie dissein to ane peaceable and wished perfection, and continow to vs the blessingis which, be your maiesties wyfe and religious gouernement, we haue enioyed, in more accomplished and constant measure, nor any nation on earth, so long as He shall preferue your maiesties health and lyfe, which I earnestlie pray may be to the longest periode granted to any mortall man, as

Your Maiesties most faithfull, obedient,  
and bund seruant and subiect,

BINNING.

Edinburgh, 29 Merche, [1617?]

To the Kingis most sacred Maiestie.

CCCLXII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I yesternight, late, receiued ane letter from the Archibishop of Santandrois, signifieing that he had before writtin to the Deane of Winchester, to informe your maiestie of his opinion auent the sermons to be made at this approaching Christmas, in the churches of Edinburgh ; and that knowing sensyue that the deane wes not at court, and so fearing that your maiestie should not in dew tyme be aduerteised of his humble opinion, he hes willed me to signifie to your maiestie that the ministrie of Edin-

burgh wer earnest with him to preache that day in Edinburgh, which he had refused, and had willed them to preache in all the churches of the towne that day, knowing manie of the cuntrie to depend vpon their example: And thairfore, if your maiestie intend that course, he earnestlie desires your maiestie to send letters to them, with all goodlie diligence, declairing to them your exprefs pleasour thairanent.

He wrytis that those ministers still insist with him to fill the place for this tyme, and that Maister Patrick Galloway, whom he findis best mynded, promifes that from that tyme furth they will tak ordour to obey the actis; and if your maiestie think good that he grant their desire, vpon your maiesties speedie aduerteisment, he shall returne to Edinburgh, and giue the people the best satisfaction he can that day, becaus he wisshes all thingis to be done calmelie, foreseeing that if they faile to keip the day by their sermons on it, others will be the more animated to disobey; and thairfore thinkis, if his supplieing the place at this tyme, may induce them hereafter to conformitie, it shall not be the worst course, bot that he hes not yeilded to them as yet, suspending his resolution till he know your maiesties determination, being reddie to do that office, if so your maiestie allow: And if your maiestie will have the ministers themselves to preache, he thinkis it expedient that your maiestie signifie your pleasour be your owne letter as from your self, declairing that your maiestie will not be content to haue one church serued, except they be all; and if your maiestie allow him to put af this tyme, vpon the hopes they giue him of future conformitie, he shall willinglie do it; humblie craiving that your maiesties pleasour may be speedilie signified. So, praying God to blisse your maiestie with long lyfe, health, and all wished prosperities, I rest

Your Maiesties most humble, faithful, and obedient  
subiect and seruant,

BINNING.

Whythall, 8th Dec. [1618?]

To the Kingis most sacred Maiestie.

## CCCLXIII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I haue, according to your maiesties direction, tryed the behaiour of the magistrates of Edinburgh at Chriftnas last; and learned that the prouest, bailies, and counfell, convoyed my lord chancelar to the Hie Church, and wer all present at fermon, fo as thair wes no default for want of their good exemple.

The Archibifchop of Santandrois assures me that he hes written to your maiestie of all that he hes tryed concerning the dewtie or vndewtifulnes of ministers and others, anent the obseruation or violation of that holie day, and hes confirmed the trueth of all that I fpak to your maiestie of Maister Patrik Galloway and Maister William Struthers faithfull and frank proceeding at that tyme.

Of your maiesties directions concerning the Erle of Argyle, and other particulars, I fall giue accompt efter the nixt counsell day.

Maister Thomas Knox, sone to the Bifchop of the Iles, is to informe your maiestie of the present estate of the Iles, whairby your maiestie will, in your most excellent wifdome, judge what to direct for the perfyte fetling of order and obedience in those barbarous pairtis. I haue knowne his father and himself fo faithfull in your maiesties seruice, as I am confident your maiestie may beleue the trueth of his report and sinceritie of his good intentions. So, hairtelie beseeching God to bliffe your maiestie with long lyfe, perfyte health, and constant prosperitie, I rest

Your most sacred Maiesties most humble, faithfull,  
and obedient subiect and seruant,

BINNING.

Edinburgh, penult of Januar, 1619.

To the Kingis most sacred Maiestie.

## CCCLXIV.—EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

The necessitie of my obedience to your royall commandement forces me to giue your maiestie an accompt of the order obserued in this towne at Easter, not so gracious as I wished. The ministers haue all done there dutie. Maister Andro Ramsay preached vpon Good Fryday, vpon the first Epistle of Saint Peter, 2 chept. 24 verse. Maister John Guthrie, on Setterday, vpon the sixt verse of the 26 psalme, and Maister Patrik Galloway, vpon Easter, his text being the 23, 24, 25, and 26 verses of the 11 chept. of the first to the Corinthians; all of them verie worthelie, according to the time and holie subiects wherof they had to entreat. The number of communicants wes small; no strangers, few of the townes people of good fort. The greatest part receiued kneeling, following the exemple giuen by the ministers, and by your maiesties thesaurar deput, aduocat, and me. Maister Patrik discretlie moued some to kneel who offered to haue done otherwayes, but findrie of the base fort, and some wemen, not of the best, did sit. In the Colledge Church I heare by them whom I caused attend, that the number of communicants far exceeding that of the Hie Church, verie few of them kneeled. Maister William Struthers, who preached vpon Easter day, vpon the 25 verse of the 11 chept. of the first to the Corinthians, and Mr John Maxwell, who assisted him in the celebration, receiued vpon there knees, but verie few did imitate them.

It is neither the bishops nor the most part of the ministers' fault that better obedience is not giuen, bot we haue a number of ignorant and peruerse people, who *in vetitum nituntur*; and if withowt offense I may speake, I belecue that time and conuenience fall preuaile more to reduce them to conformitie nor suddane or vehement instance, the multitude of the auerfe appearing to require *vt quod a multis peccatur impune paupis fit*, least the scandall and difficultie of the remede shold be more hurt-

full nor the toleration for a short space ; the trouble of a rascallie multitude for a subiect which is pretexted with conscience, not seeming seasonable, which I humbly submit to your maiesties most excellent wisdom : And, begging pardon for my presumption, I beseech God long to faue and prosper your maiestie with health and perfite contentment, I rest

Your sacred Maiesties most oblihed, humble, and  
obedient subiect and seruant,

MELROS.

Edinburgh, 16th April.

To the Kingis most sacred Maiestie.

CCCLXV.—EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

My knowlege of your maiesties desire to vnderstand the order obserued in the church of Edinburgh thir holie dayes, giues me hope of pardon for troubling your maiestie with this accompt. Vpon Good Fryday, Doctour Forbes hauing chofen for text the 24 verse of the 2 ch. of the first epistle of Sant Peter, first proponed the louable custume of the primitiue Church to obserue holielie that day; and thereafter discourfed verie zealouslie and learnedlie vpon the passion of our Sauour, and frutes therof. The next day, Maister Andro Ramfay, who made the sermon of preparation, took the parable of inuitation to the mariage, and punishment of him who came without his wedding garment, mentioned in the 22 of Sant Mathewe's gospell, for his text; which he expounded orderlie, efter his learned maner. Vpon Easter day, Maister Patrik Galloway preached vpon the 23 and following verses of the 11 chap. of the first



to the Corinthians, and thereafter proceeded to the ministrat[i]on of the holie communion, assisted by Maister Andro Ramfay; who performed their charge verie religiouselie, and with such obedience and deuote conformitie of the people, as there wes not any of the whole communicants that I could sie or heare to haue receiued the holie sacrament fitting, except two wemen, and ane base man, more worthie to be declared idiot nor to haue been admitted to the holie table. I heare that Maister William Struthers and Doct[or] Forbes, who serued in the Colledge Church, performed also their duties faithfullie; and albeit the whole counsell and members of Session be at vacance in the cuntrie, so that of that number none wer present except your maiesties aduocat, my self, and some of my fones, and scarce any one gentleman; yet the order of the seruice being more exact and perfite nor in preceeding times, the minifters ar forced to take tuo Sondayes more for seruing the whole congregations. So, beseeching God to grant your maiestie most perfite and constant happines, I rest

Your most sacred Maiesties most humble and  
faithfull subiect and seruant,

MELROS.

Edinburgh, 22 April.

To the Kings most sacred Maiestie.

CCCLXVI.—THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERAIGNE,

Vpoun the knowledge of that l[et]tre fend be your maiestie to youre chancellour, and of your maiesties earnest defyre to be treulie and tymoullie informed of the circumstanceis of that proude contempt and presumptioun of some of the people of Edinburgh to censure thair minifteris doctrine; we conuenit and mett this day, fend for all the

perfonis exprest in youre maiesties letter, and spent the whole day in examinatioun of thame: And first, wee began with Williame Rig, baillie, and his compliceis, who wer gevin vp to be vrgearis of this censure; and having endit with thame, wee then called vpoun the Prouest, Baillies, Deane of Gild, and Thesaurair, whose whole depofitionis, after the most strict maner that wee could tak the fame, wee haif heirwith fend vp to your maiestie. And tuitcheing our opinioun and censure of this præsumptioun and contempt, wee think the fame in generall to be ane offence of bad example, carying with it verie probable appeirances of mutinye and thifme, and thairfoir woorthie of rigorous punishement, by confyneing or fyneing, according to the qualitie of the perfonis, and nature of the offence, quhilk, as wee conceaue, hes three brancheis: First, the publict impugning of Doctör Forbes doctrine be Johne Dickfone, who, with grite humilitie and repentance, acknowledgeis his ouersight; protesting, gif he had thocht that it wald haif gevin the least mater of offence, that he wald neuer haif oppynit his mouthe thairin, and promising to be more respectiue of his behaviour in materis of that kynd in all tyme heirefter: Secundlie, the standing to and susteaneing of this point be Williame Rig and Johne Hammiltoun: Thridlie, the vrgeing of the ministeris to celebrate the commynioun against the receaued ordouris of the Church, and publict lawes of the kingdome, be the said Williame Rig and John Meyne: And, last, Williame Symfoun his refusall to serue the tables at the communioun, in respect of the receaued ordour of celebratioun thairof, and his challenging of Mr Patrik Galloway for not attending of the fessioun. All whilkis, in oure opinioun, ar punishable in the awne kynd; bot becaus the not knowing of the qualitie of the perfonis may mak some mistakeing in the ordour of punishement, wee haif prefoomed, for your maiesties better cleiring in this point, to acquainte your maiestie, that Johne Meyne and Williame Symfoun ar bot poore men; the first having the burding of a numerous familie, and the other leiving by his credite in venting of wyne: the other twa ar in some better estaite, bot men of no grite wealthe, and Williame Rig is ane wealthie man. After that wee had eudit with thame, wee called for the ministeris, and earnestlie delt with thame to acquaint ws with thair greeves, that accord-

inglie wee might tak ordour for repairing of the fame. Thay wer sparing to come to particularis, bot in the generall, thay exprest als grite caus of greiffe and havynes, as euer pastoris had of thair flocke, quhilk, as thay affirmed, thay euer concealed and boore vp till this laite contempt and indignitie enforced thame now against thair hairtis, after long patience, to reveill the fame. Wee haif assured thame of all the fauour and concurrence to procure respect to thair personis, and obedience to thair ministerie, that our placeis will allow; and wee haif gevin ordour and directioun to the Magiftratis of Edinburgh to doe the lyke. This being the effect of our proceedingis in this busynesse, wee humbly present the fame to your maiesties princelie consideratioun, and what your maiestie shalbe forder pleased to command thairin shalbe accordinglie obeyed. And so, with our humble and earnest prayeris vnto God for your maiesties long and happie reign, wee rest for euer

Your Maiesties most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.

A. MAR.

SANCTANDREWS.

AD. B. OF DUNBLANE.

MELROS.

W. OLIPHANT.

Halyrudehouse, the last of  
Aprile, 1624.

To the King his most sacred and  
excellent Maiestie.

CCCLXVII.—EXAMINATIONS BEFORE THE LORDS OF PRIVY COUNCIL  
RELATIVE TO WILLIAM RIG, &c.

At Haliruidhous, the last day of Aprile, 1624: In presence of the  
Lordis Chancellair and Thesaurair, the Archibishop of St  
Androis, the Earle of Melros, the Bishop of Dunblane, and  
Sir Williame Oliphant, Aduocat.

WILLIAME RIG, Baillie of Edinburgh, examined and demandit, yf he wes present at the meiting of the nightbouris of the toune in the Little Kirk, vpoun Twisday after Easter last, deponis, he wes present at that meeting.

Demandit, yf, by reafoning or discourfe, he fustenit that the doctrine of the pastouris of the said burgh might be censurit in that meeting, deponis, that Johnne Dikfoun haueing regraitit to the meeting ane scruple and doubt that he had apprehendit vpoun occasioun of some speecheis vtterit be Mr Williame Forbes publictly in a fermone maid be him, saying, that the materis contrauertit betuix the Romane Church and ws might be easilie reconciled: and Mr Williame Strutheris, moderator of the meeting, haueing answerit, that the doctrine of the pastouris wes not to be censured be that meeting, the deponner mantennit the contrair opinioun, saying, that no tryall nor censure could feclude the sessioun of the kirk from thair tryall and censure; alledgeing some passages of scriptour for his warrand, especialie oute of St Johnne, quhair it is writtin, Try the spirittis yf thay be of God or not: And grantis that he sayd the iudgement of discretioun belonged till all men.

Demandit, yf he defyrit the ministeris to gif the commynioun after the auld maner, grantis the same.

JOHNNE DIKSOUN, flesheour, demandit, yf he wes present at the meeting foirfaid, grantis the same, it being ane vsuall custome in the kirk to keepe the said meeting, and quhairof intimatioun is yeirly maid be the ministeris vpoun the Sondag preceding to the people to keepe the same.

Demandit, yf at the meeting he vtterit ony speecheis concerning Mr Williame Forbes or his doctrine, deponis, that the clerk of the sessioun, haueing desirrit the people conuenit to declair quhat thay had to say aganis thair ministeris, towcheing thair lyffe and doctrine, and this deponner haueing hard Mr Williame Forbes, in a fermone maid be him in the Little Kirk, mantene that thair wes findrie contrauertit headis betuix the Romane Church and ws that might be reconciled and aggreit; and this haueing bred some scruple and doubt in the deponaris hairt and conscience, he thairupoun tooke occasioun simplie, without choller or spleene, to regrait the same, saying, that he had hard some of our ministeris of auld declair

in thair fermonis, and teache to thair flocke, that light was no more contrair to darknes, nor Christ to Belial, nor we and the Romane Church ar, in pointis of faith and doctrine. And deponis, that he is forie from his hait that he fould haif challengeit his pastour in publict vpoun thair pointis, and yf he had thought that offens wald haif bene tane at it, he wald neuer haif done it.

Denyis that he desirrit the ministeris to gif the commynioun in the auld maner.

JOHNNE HAMILTOUN, apotecour, demandit, yf he wes present at the meeting foirfaid, and quhat wes his behaiour thair, deponis, he wes present at the said meeting, whilk meeting is a ordinair custome in our Church vpon the Twifday afoir the celebratioun of the commynioun; and the deponner haueing hard Johnne Dikfoun impugne some pointis of doctrine vterit be Mr Williame Forbes, anent the materis contrauerted betuix ws and the Romane Church, quhairin, as the deponner thocht, the meeting gatt not satisfactioun, he said and proponned this questioun, that yf he wer to minister phisick, his patient had resson to trye yf the phisick wer goode and holefome, seing it importit the weele of the body; so, we had mutche more reasoun to trie the phisick of the faull, whilk is the sweete milk of the worde: and deponis, that he spak this onlie vpoun occasioun of Johnne Dikfonis speecheis, and no other-ways; and denyis that he spak ony thing concerning the commynioun.

JOHNNE MEINE, marcheant, examined, grantis that he wes present at the meeting foirfaid, and that he desirrit Mr Williame Strutheris to minister the commynioun in the auld maner; and grantis that quhen the people wer regraiting the point of doctrine foirfaid, vterit be Mr Williame Forbes, the deponner, persaving Mr Andro Ramfay to laugh, he said vnto him, Weele, Sir, are yow laugheing at the regraitis of the people, yow will ansuer to God for it. And he medlit no farder in these materis.

WILLIAME SIMSOUN, mercheant, examined, grantis he wes present at the meeting foirfaid, bot spak no thing concerning the commynioun, nor Mr Williame Forbes: grantis that he wes one of the fessioun; regraitit that Mr Patrick Galloway attended not the fessioun. nowther vpoun the Sunday nor oulk day; and grantis that he being desirrit, as one of the

feffioun, to ferue the table the tyme of the celebratioun of the commynioun, he refufied to do the fame.

ALEXANDER CLERK, prouest of Edinburgh, demandit, quhat paff betwix him and the nightbouris of the toun at the meeting foirfaid, deponis, that the clerk of the feffioun haueing, conforme to the ordour, askit of the people, yf thay had ony thing to obieft aganis thair minifteris, concerning thair lyffe and conuerfatioun, Johnne Dikfoun, flesheour, raife vp, and with verie grite modestie defirit to be heard; whilk being grantit vnto him, he faid, that he hard Mr Williame Forbes delyuer some doctrine in a fermone towcheing the contrauertit pointis betwix ws and the papiftis, whilk wes contrare to the doctrine formarie taught vnto him: and he, defiring that his doubtis and feruple anent that point might be cleirit, the deponner refufit to suffer ony meddling to be thairin, faying and mantening, that that place and meeting wer not judgeis of thair paffouris doctrine, and that modestie and requirit that the faid Johnne fould haif gone to his paffour and oppynnit vp his grief vnto him, fra whom he wald haif gottin refolutioun and fatiffaetioun anent his doubt; and fo, commanding Johnne filence, he acquiefceit and fpak no forder. And some twa or three otheris preaffing to vrge this mater of new, and that thair greivis in this point might be related to the rest of the minifterie, and Mr Williame challenged thairupoun, the deponner refufit the fame, imponing filence vnto thame, and sharplie reprooueing thame for thair prefumptioun in thair publick challange of thair minifter, of whome, in dewtie, thay fould haif craued refolutioun of thair doubtis fecreitlie betwix thame felffis. Deponis, That quhen the assemblie was riffin, and all vpoun thair feite, one, whome the deponner faw not, bot hard his voice, cryed out, defiring the deponner to caus the minifteris gif the commynioun in the auld maner.

The other three Baillies, withe Deane of Gild and Thesaurair, adhere to this depositioun, and wer conforme thairto.

## CCCLXVIII.—LORDS OF THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERANE,

Wee reffauit your maiesties lettre of the xxi of Maij, by the whiche your maiestie hes sett down the forme of punifhement, whilk your maiestie will haif to be inflictit vpoun these of the burgh of Edinburgh, who so præsumptuouslie cenfurit thair pastouris preatcheing vpoun Twyifday afoir Easter last : and, for obedience thair of, haueing convenit and ferioufflie aduifit vpoun the best meanes of proceeding in the buffynes, finding it expedient to call the offendouris befor the counfaill, that thair offence might be knowne to all the nomber, and that the sentence might be pronunceit ordourlie agains thame, for closing of the mouthis of the common multitude, who ar euer readdie, vpoun the least occasioun, to misconstreue all laughfull proceedingis, and wald not haif failed to haif furnished agains this, as being caryed by a few nomber of seleçtit personis, whome thay accompt partiall, becaus wee ar readdie, according to our bundin dewtie, to obey and execute your maiesties laughfull commandementis ; for this effect, wee causit warne thame befor the counfaill to this present day. Lyke as thay compeirit, and with the proueft, baillies, and whole minifteris, who in ane voice declairit that Williame Rig wes come to ane grite acknowledgement of his formair misbehaviour, and oute of a singel and humble hairt, had gevin satisfaccïoun and contentment to the ministerie in all these materis whilkis bred the scruple and offence amongis thame ; and that he had promiseit, by a respectiue and dewtifull behaviour, in tyme comeing, not onlie to eshew all occasionis of new offence and scandall, bot by his goode cariage to give example of the lyke to otheris ; and the minifteris ar in opinioun of his future conformitie to all goode ordour. And whereas thay seeke nothing bot ane peaceble ministerie, and to live in that vnitie and love with thair flocke that becometh, thairfoir, thay humblie intreated ws for a mitigatioun of the sentence on the pairt



of the said Williame, whilk thay thocht wald produce better effectis nor ony rigour that could be vsed agains him : And besydis this thair declaratioun and intreatie, Williame Rig gaif in a verie humble petitioun himself vnder his hand, quhairby he cleirit himself of some pointis wherein he wes mistaken in his formair depositioun, as, namelie, that point anent the power of the sessioun to censure thair ministeris, and to excommunicat ; wherein he affirmis, that he onlie meaned of the ministeris, with the eldairis and deaconis of whome the sessioun is composed, and no otherwayes, and that he detestes all opinionis of popular power ouer the ministerie, as smelling of that odious opinioun of the Browneistis, quhairof he protestis he is free, and disclames the same as being impious befor God, scandalous in a Reformed Church, and repugnant to all goode ordour : And twitching that point of his confessioun, where he grantit that he desyrit the ministeris to celebrate the commynioun after the auld manner, he protestis solemnlie that he never motioned ony suche mater at the meeting foirsaid ; bot being demandit vpoun that point, and sua surprysed vpoun a suddane, and not fully resolu'd thairanent, he made choise rather to confes, then by ane vnaduist denyall to be broght bak with a lie, whairanent he offerit to submitt himselff to the declaratioun of the prouest and baillies ; who, with some otheris vnuspect personis who wer present at the meeting foirsaid, being demandit vpoun this point, thay all declairit, vpoun thair grite oathes, that thair wes no suche mater moved nor spoken be the said Williame at that tyme. This petitioun, with the humble and earnest requeist of the prouest, baillies, and ministeris, being hard and throughlie confidderit at the Counsaill table, and it being verie weele knowne to the whole number, that your maiestie, oute of your most religious dispositioun towardis the propagatioun and advancement of religion, doe seik nothing in all this busynes bot obedience to the ordouris and discipline of the kirke ; thay thairfor inelynit to satisfie the magistratis and ministeris in this poynt ; and hes confyned the said Williame in his awne house, till your maiesties forder pleasoure be knowne, and the rest ar directit to the appointit placeis of thair imprisonment and confyneing, except Symfoun, who, in respect of his pouirtie, notour vnto ws, is maid prisoner in the tolbuthe of Edinburgh ; and thay ar all to keepe thair



wardis till your maiesties forder pleafoure be decernit agains thame. Wee haif onlie gone this far for the present, as a beginning of thair punisshement, and shall hold the rest ouer thair heades till wee see vnto what conformitie this pairt of the punisshement drawis thame: and quhen your maiestie shalbe pleased to command forder heirin, vpoun the signification of your royall will to the whole Counsaill, it shalbe obeyit. And so, remembering our humble and earnest prayeris vnto God for your maiesties lang and happie reign, wee rest

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
A. MAR.  
MELROS.

W. OLIPHANT.  
AD. B. OF DUNBLANE.

Halyruidhoufe, the tent of Junij, 1624.

To the King his most sacred and excellent Maiestie.



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